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PROPOSED ACTION ON REGULATIONS

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION <i>CalPERS—Reporting Requirements—Notice File No. Z02-0625-02</i>	Page 1361
TITLE 2. FAIR POLITICAL PRACTICES COMMISSION <i>Prop. 34—COLA Adjustment Contribution Limits—Notice File No. Z02-0625-01</i>	1361
TITLE 2. FAIR POLITICAL PRACTICES COMMISSION <i>Technical Cleanup—Notice File No. Z02-0625-03</i>	1362
TITLE 3. DEPARTMENT OF FOOD AND AGRICULTURE <i>Mediterranean Fruit Fly Interior Quarantine—Notice File No. Z02-0625-09</i>	1363
TITLE 3. DEPARTMENT OF FOOD AND AGRICULTURE <i>Melon Containers—Notice File No. Z02-0620-03</i>	1365
TITLE 4. CALIFORNIA GAMBLING CONTROL COMMISSION <i>Work Permits—Grounds of Denial; Temporary Permits—Notice File No. Z02-0625-08</i>	1366
TITLE 4. CALIFORNIA HORSE RACING BOARD <i>Prohibited Veterinary Practices—Notice File No. Z02-0625-06</i>	1369
TITLE 5. COMMISSION ON TEACHER CREDENTIALING <i>Definitions and Terms and Acceptance of Electronic Signature—Notice File No. Z02-0621-02</i>	1371
TITLE 14. CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD <i>Inventory of Solid Waste Facilities Which Violate State Minimum Standards—Notice File No. Z02-0624-01</i>	1373
TITLE 19. OFFICE OF THE STATE FIRE MARSHALL <i>High Powered Rocket Fees—Notice File No. Z02-0621-01</i>	1376
TITLE 22. DEPARTMENT OF CHILD SUPPORT SERVICES <i>Monthly Statement of Collections and Distribution—Notice File No. Z02-0620-02</i>	1377

(Continued on next page)

***Time-
Dated
Material***

TITLE 24. CALIFORNIA BUILDING STANDARDS COMMISSION	
<i>Building Standards of the State Fire Marshall regarding Fire Protection in Public Schools</i>	
<i>California Building Code Part 2—Notice File No. Z02-0625-05</i>	1379

TITLE 24. CALIFORNIA BUILDING STANDARDS COMMISSION	
<i>Building Standards of the State Fire Marshall regarding Fire Protection in Public Schools</i>	
<i>California Fire Code Part 9—Notice File No. Z02-0625-04</i>	1383

TITLE 28. DEPARTMENT OF MANAGED CARE	
<i>Ambulance Plans—Conditional Exemption—Notice File No. Z02-0624-04</i>	1386

GENERAL PUBLIC INTEREST

DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING	
<i>List of Ineligible Contractors</i>	1388

OFFICE OF THE STATE FIRE MARSHALL	
<i>Notice of Rescheduled Hearing for Fire Extinguisher Regulations</i>	1388

RULEMAKING PETITION DECISIONS

DEPARTMENT OF CORRECTIONS	
<i>Regarding Petition of Andrei Belei to Limit the Suspension of Outdoor Exercise to General</i>	
<i>Population Inmates on Lockdown to no more than 30 Days</i>	1389

SUMMARY OF REGULATORY ACTIONS

Regulations filed with the Secretary of State.....	1390
Sections Filed, February 20, 2002 to June 26, 2002	1392

The *California Regulatory Notice Register* is an official state publication of the Office of Administrative Law containing notices of proposed regulatory actions by state regulatory agencies to adopt, amend or repeal regulations contained in the California Code of Regulations. The effective period of a notice of proposed regulatory action by a state agency in the *California Regulatory Notice Register* shall not exceed one year [Government Code § 11346.4(b)]. It is suggested, therefore, that issues of the *California Regulatory Notice Register* be retained for a minimum of 18 months.

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PROPOSED ACTION ON REGULATIONS

Information contained in this document is published as received from agencies and is not edited by the Office of State Publishing.

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission, under the authority vested in it by Section 83112 of the Government Code, proposes to adopt, amend, or repeal regulations in Title 2, Division 6 of the California Code of Regulations. The Fair Political Practices Commission will consider the proposed regulations at a public hearing on or after August 9, 2002, at 9:30 a.m. Written comments must be received at the Commission offices no later than 5:00 p.m. on August 7, 2002.

BACKGROUND/OVERVIEW

On March 21, 2001, the California Public Employees' Retirement System Board adopted certain amendments to 2 Cal. Code Regs. § 554.6, which, among other things, instituted runoff elections in the event that no single candidate received a majority of votes (i.e., 50% of votes cast plus one vote). Under the current regulation governing reporting of contributions and expenditures related to elections for the California Public Employees' Retirement System's Board, there is no provision for reporting contributions or expenditures in a runoff election. Therefore, the Commission is considering adoption of an amendment to that regulation that would implement the filing of an additional campaign statement in elections in which a runoff is held. Other non-substantive, conforming changes are also proposed.

REGULATORY ACTION

Amend 2 Cal. Code Regs. § 18452: The proposed amendment institutes a third campaign statement during elections for the California Public Employees' Retirement System Board in which a runoff election is held. Other non-substantive, conforming amendments are proposed.

FISCAL IMPACT STATEMENT

Fiscal Impact on Local Government. This regulation will have no fiscal impact on any local entity or program.

Fiscal Impact on State Government. This regulation will have no fiscal impact on any state entity or program.

Fiscal Impact on Federal Funding of State Programs. This regulation will have no fiscal impact on the federal funding of any state program or entity.

AUTHORITY

Government Code section 83112 provides that the Fair Political Practices Commission may adopt, amend, and rescind rules and regulations to carry out the purposes and provisions of the Political Reform Act.

REFERENCE

The purpose of this regulation is to implement, interpret and make specific Government Code section 84225.

CONTACT

Any inquiries should be made to Holly B. Armstrong, Fair Political Practices Commission, 428 J Street, Suite 800, Sacramento, CA 95814; telephone (916) 322-5660 or 1-800-ASK-FPPC. Proposed regulatory language can be accessed at www.fppc.ca.gov.

ADDITIONAL COMMENTS

After the hearing, the Commission may adopt or repeal the proposed regulations if they remain substantially the same as described or as in the text originally made available to the public. The Commission may make changes to the proposed regulations before their adoption or repeal.

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

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BACKGROUND/OVERVIEW

In November 2000 voters passed Proposition 34, which created contribution limits and voluntary expenditure ceilings for state candidates under Government Code §§ 85301, 85302, 85303 and 85400. Government Code § 83124, also created by Proposition 34, provides the Fair Political Practices Commission with a statutory mandate to adjust the contribution limits and voluntary expenditure ceilings in January of every odd-numbered year to reflect any changes in the Consumer Price Index.

REGULATORY ACTION

Add 2 Cal. Code Regs. § 18544. The proposed addition is the formula that will be used to calculate future cost of living adjustments.

FISCAL IMPACT STATEMENT

Fiscal Impact on Local Government. This regulation will have no fiscal impact on any local entity or program.

Fiscal Impact on State Government. This regulation will have no fiscal impact on any state entity or program.

Fiscal Impact on Federal Funding of State Programs. This regulation will have no fiscal impact on the federal funding of any state program or entity.

AUTHORITY

Government Code section 83112 provides that the Fair Political Practices Commission may adopt, amend, and rescind rules and regulations to carry out the purposes and provisions of the Political Reform Act.

REFERENCE

The purpose of this regulation is to implement, interpret and make specific Government Code sections 83124, 85301, 85302, 85303 and 85400.

CONTACT

Any inquiries should be made to Scott A. Burritt, Fair Political Practices Commission, 428 J Street, Suite 800, Sacramento, CA 95814; telephone (916) 322-5723 or 1-800-ASK-FPPC. Proposed regulatory language can be accessed at www.fppc.ca.gov.

ADDITIONAL COMMENTS

After the hearing, the Commission may adopt or repeal the proposed regulations if they remain substantially the same as described or as in the text originally made available to the public. The Commission may make changes to the proposed regulations before their adoption or repeal.

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BACKGROUND/OVERVIEW

The Legal Division periodically conducts a review of Commission regulations to keep them current. Several technical “clean-up” amendments are proposed which eliminate outdated references or make similar conforming changes. All of the proposed amendments are non-substantive in nature.

REGULATORY ACTION

Amend 2 Cal. Code Regs. section 18110. Legislative amendments to Government Code section 84211 went into effect in 2001 (Chapter 853, Stats. 2000) which necessitate technical changes to regulation 18110. The regulation specifies the duties of filing officers who receive original campaign disclosure statements. The legislative amendments resulted in renumbering of some section 84211 subdivisions that are cited in the regulation. In addition, section 84211(m) was repealed, so subdivision (b)(2)(E)12 of the regulation is being deleted. Finally, subdivision (b)(2)(E)14 of the regulation (renumbered as paragraph 13) is revised to be consistent with amended section 84211(n), which no longer refers to the June primary and November general elections. As amended, the Act and regulation will simply refer to the state primary and general elections.

Amend 2 Cal. Code Regs. section 18401. Regulation 18401 is the major campaign recordkeeping regulation. During the Proposition 34 update at the May 10, 2002 meeting, the Commission agreed that it would be helpful to treasurers to add a reference in regulation 18401 about recordkeeping requirements contained in some of the new Proposition 34 regulations. A reference to the new occupation and employer information provisions of section 85700 and regulation 18570 was added to the text of regulation 18401. In addition, we propose adding a comment to regulation 18401 alerting treasurers to recordkeeping requirements in these regulations: regulation 18428 concerning affiliated entities, regulation 18536 concerning the transfer and attribution of contributions, and regulation 18540 concerning the allocation of expenditures to a particular election for purposes of the voluntary expenditure ceilings.

Amend 2 Cal. Code Regs. section 18404.1. As regulation 18404.1 is currently written, subdivisions (a)(1) and (a)(2) require candidate controlled committees to calculate their debt as of the effective date of the regulation, as opposed to the end of the candidate’s term of office, to determine when they must terminate their committees. The amendment has the effect of eliminating this unintended result, while limiting application of the latter portion of subdivision (a) to those candidates who, as of February 15, 2002, the

effective date of the regulation, held elective office pursuant to an election held prior to January 1, 2001, which was the original intention.

Amend 2 Cal. Code Regs. section 18451. The amendments to regulation 18451 are non-substantive additions to subdivisions (c), (e) and (f) for clarification purposes only. Subdivisions (c), (e) and (f) define the terms “candidate” “election year” and “ballot period,” respectively. Under the current versions of the regulation, the definitions appear, by their reference to section 20096, to apply only to regular elections. The amendment adds a reference to section 20095 to each subdivision, which would clarify that the definitions are also applicable to special elections. In addition, in subdivision (f), the definition of “ballot period” includes a beginning point for the ballot period, but does not include an ending point. The amendment adds language to indicate when the ballot period ends.

Amend 2 Cal. Code Regs. section 18540. Regulation 18540(b) requires that the allocation of expenditures under Regulation 18540 shall be reported pursuant to subdivision (b) of Regulation 18421.4. Regulation 18421.4 has been amended and the reporting information referred to in Regulation 18540 is now addressed in section (c) of Regulation 18421.4. This amendment is proposed to correct the reference to Regulation 18421.4 in Regulation 18540.

Amend 2 Cal. Code Regs. section 18705.4. As currently written, regulation 18705.4 states in pertinent part:

“(b) Indirectly involved sources of gifts.

- (1) Sources of gifts which are indirectly involved business entities. If the source of a gift is a business entity, apply the materiality standards stated in Regulation 18705.1(b).”

However, regulation 18705.1(b) reads in pertinent part: “Directly involved business entities.” Regulation 18705.1(c) refers to indirectly involved business entities. This amendment is proposed to correct the reference in Regulation 18705.4. Other technical, conforming amendments are recommended to attain consistency in referencing other sections of the California Code of Regulations.

Amend 2 Cal. Code Regs. section 18997. As currently written, regulation 18997 states in pertinent part:

- “(b) Those candidates who have received contributions as defined in 2 Cal. Code Regs. § 18451 of \$1,000 or more in an election year shall be subject to audit.”

A definition for contribution is not addressed in regulation 18451. This amendment is proposed to delete the reference to regulation 18451 for a definition of contributions.

FISCAL IMPACT STATEMENT

Fiscal Impact on Local Government. These regulations will have no fiscal impact on any local entity or program.

Fiscal Impact on State Government. These regulations will have no fiscal impact on any state entity or program.

Fiscal Impact on Federal Funding of State Programs. These regulations will have no fiscal impact on the federal funding of any state program or entity.

AUTHORITY

Government Code section 83112 provides that the Fair Political Practices Commission may adopt, amend, and rescind rules and regulations to carry out the purposes and provisions of the Political Reform Act.

REFERENCE

The purpose of these regulations is to implement, interpret and make specific Government Code sections 81010, 82015, 84104, 84100–84400, 84211, 84214, 84225, 85400, 85402, 85700, 87100, 87102.5, 87102.6, 87102.8, 87103 and 90001.

CONTACT

Any inquiries should be made to Kelly L. Winsor, Fair Political Practices Commission, 428 J Street, Suite 800, Sacramento, CA 95814; telephone (916) 322-5723 or 1-800-ASK-FPPC. Proposed regulatory language can be accessed at www.fppc.ca.gov.

ADDITIONAL COMMENTS

After the hearing, the Commission may adopt or repeal the proposed regulations if they remain substantially the same as described or as in the text originally made available to the public. The Commission may make changes to the proposed regulations before their adoption or repeal.

TITLE 3. DEPARTMENT OF FOOD AND AGRICULTURE

NOTICE IS HEREBY GIVEN that the Department of Food and Agriculture amended Section 3406(b) of the regulations in Title 3 of the California Code of Regulations pertaining to the Mediterranean Fruit Fly Interior Quarantine as an emergency action. The Department proposes to continue the regulation as amended.

A public hearing is not scheduled. A public hearing will be held if any interested person, or his or her duly authorized representative, submits a written request for a public hearing to the Department contact no later than 15 days prior to the close of the written comment period. Following the public hearing if one is requested, or following the written comment period if no public hearing is requested, the Department of

Food and Agriculture may certify that there was compliance with the provisions of Section 11346.1 of the Government Code within 120 days of the emergency regulation.

Notice is also given that any person interested may present statements or arguments in writing relevant to the action proposed to the agency officer named below on or before August 19, 2002.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Existing law obligates the Department of Food and Agriculture to protect the agricultural industry in California and prevent the spread of injurious pests (Food and Agricultural Code, Sections 401 and 403). Existing law also provides that the Secretary may establish, maintain, and enforce such regulations as he deems necessary to prevent the spread of pests to protect California's agricultural industry (Food and Agricultural Code, Section 5322).

This amendment removed a quarantine area for Mediterranean fruit fly of approximately 53 square miles surrounding the Hyde Park area of Los Angeles County. The effect of the amendment was to remove the authority for the State to regulate movement of hosts and possible carriers of Mediterranean fruit fly within and from the area under quarantine to prevent artificial spread of the fly to noninfested areas to protect California's agricultural industry. The proposed action does not differ from any existing, comparable federal regulation or statute.

COST TO LOCAL AGENCIES AND SCHOOL DISTRICTS

The Department of Food and Agriculture has determined that Section 3406 does not impose a mandate on local agencies or school districts, except that an agricultural commissioner of a county under quarantine has a duty to enforce it. No reimbursement is required under Section 17561 of the Government Code because this amendment will remove the portion of Los Angeles County that was in the area under quarantine; therefore, enforcement will no longer be necessary. There are no mandated costs associated with the removal of the Hyde Park area from the regulation.

The Department also has determined that the regulation will involve no costs or savings to any state agency, no nondiscretionary costs or savings to local agencies or school districts, no reimbursable costs or savings to local agencies or school districts under Part 7 (commencing with Section 17500) of Division 4 of the Government Code, and no costs or savings in federal funding to the State.

EFFECT ON HOUSING COSTS

The Department has made an initial determination that the proposed action will not affect housing costs.

EFFECT ON BUSINESSES

The Department has made an initial determination that the proposed action will not have a significant, statewide adverse economic impact directly affecting California businesses, including the ability of California businesses to compete with businesses in other states.

COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS

The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

ASSESSMENT

The Department has made an assessment that the proposed amendment to the regulation would not (1) create or eliminate jobs within California, (2) create new business or eliminate existing businesses within California, or (3) affect the expansion of businesses currently doing business within California.

ALTERNATIVES CONSIDERED

The Department of Food and Agriculture must determine that no reasonable alternative considered by the Department or that has otherwise been identified and brought to the attention of the Department would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

AUTHORITY

The Department amended Section 3406(b) pursuant to the authority vested by Sections 407, 5301, 5302, and 5322 of the Food and Agricultural Code of California.

REFERENCE

The Department amended Section 3406(b) to implement, interpret and make specific Sections 5301, 5302, and 5322, Food and Agricultural Code.

EFFECT ON SMALL BUSINESS

The amendment of this regulation may affect small businesses.

CONTACT

The agency officer to whom written comments and inquiries about the initial statement of reasons, proposed action, location of the rulemaking file, request for a public hearing, and final statement of reasons may be directed is: Stephen S. Brown, Department of Food and Agriculture, Plant Health and

Pest Prevention Services, 1220 N Street, Room A-316, Sacramento, California 95814, (916) 654-1017, FAX (916) 654-1018, E-mail: sbrown@cdfa.ca.gov. In his absence, you may contact Kris Peeples at (916) 654-1017. Questions regarding the substance of the proposed regulations should be directed to Stephen S. Brown.

INTERNET ACCESS

The Department has posted the information regarding this proposed regulatory action on its Internet website (www.cdfa.ca.gov/cdfa/pendingregs).

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Department of Food and Agriculture has prepared an initial statement of reasons for the proposed action, has available all the information upon which its proposal is based, and has available the express terms of the proposed action. A copy of the initial statement of reasons and the proposed regulations in underline and strikeout form may be obtained upon request. The location of the information on which the proposal is based may also be obtained upon request. In addition, the final statement of reasons is available upon request. Requests should be directed to the contact named herein.

If the regulations adopted by the Department differ from, but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency officer (contact) named herein.

TITLE 3. DEPARTMENT OF FOOD AND AGRICULTURE

NOTICE IS HEREBY GIVEN that the Department of Food and Agriculture proposes to amend Sections 1380.19(h), 1420.10 and 1442.7, and repeal Sections 1420.9 and 1442.10 of the regulations in Title 3 of the California Code of Regulations pertaining to standard containers for cantaloupes and melons other than cantaloupes.

Notice is also given that any interested person may present statements or arguments in writing relevant to the proposed action until 5:00 p.m. on August 19, 2002. Written comments may also be submitted via e-mail or fax. Please refer to the contact section of this notice for the contact persons and address information when submitting comments.

A public hearing is not scheduled but will be held if any interested person, or his or her duly authorized representative, submits a written request for public hearing to the Department no later than 15 days prior to the close of the written comment period. Following

the public hearing, (if one is requested) or following the written comment period (if no public hearing is requested), the Department of Food and Agriculture, at its own motion or at the instance of any interested person, may adopt the proposal substantially as set forth above without further notice.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Existing Section 1380.19, subsection (h) describes the dimensions of existing standard containers used for cantaloupes. This section also includes specific requirements for container 41.

This proposal would amend Section 1380.19(h) by adopting a new standard cantaloupe container, 44P, having specified dimensions of an inside depth, and an outside width and length. This proposal would also repeal specific requirements for container 41.

Section 1420.10 requires that cantaloupes be placed in "closed" standard containers. Section 1420.9 defines "closed" as it applies to containers used for cantaloupes.

This proposal would amend Section 1420.10 by adding container 44P, specifically for cantaloupes, and by repealing the "closed" container requirement. In addition, this proposal would repeal Section 1420.9 to be consistent with the elimination of the "closed" requirement.

Section 1442.7 requires that all melons other than cantaloupes be placed in "closed or lidded" standard containers. Section 1442.10 defines "closed or lidded" as it applies to containers used for melons.

This proposal would amend Section 1442.7 by repealing the "closed or lidded" container requirement. In addition, this proposal would also repeal Section 1442.10 to be consistent with the elimination of the "closed or lidded" container requirement.

FISCAL IMPACT STATEMENTS

The Department has initially determine that these proposed regulations will have no effect on savings or increased costs to any state agency, no costs under "Part 7 (commencing with Section 17500) of Division 4" of the Government Code to local agencies or school districts requiring reimbursement, no other nondiscretionary costs or savings imposed on local agencies, and no costs or savings in federal funding to the state will result from these proposed regulations. The Department has also determined that these proposed regulations do not impose a mandate on local agencies or school districts.

EFFECT ON SMALL BUSINESS

The Department has initially determined that these proposed changes in the regulations would result in no added costs to small businesses affected by these proposed changes and would have a positive effect on

such businesses. This is based on the fact that the proposal merely provides an alternative container for use by the cantaloupe industry, without requiring any change. Additionally, the proposal allows more flexibility within the industry by repealing the "closed" container requirements.

EFFECT ON HOUSING COSTS

The Department has initially determined that the amendments of the proposed regulation will have no effect on housing costs.

SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT DIRECTLY AFFECTING BUSINESS

The Department has initially determined that these proposed changes would have no statewide adverse economic impact on businesses, including the ability for California businesses to compete with other businesses in other states.

ASSESSMENT STATEMENT

The Department has initially determined that the proposed changes in the regulations would not affect the creation or elimination of jobs in California and would neither create nor eliminate or expand existing businesses in California.

COST IMPACTS ON REPRESENTATIVE PRIVATE PERSONS OR BUSINESS

The Department is not aware of any cost impact that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

ALTERNATIVES

The Department must determine that no reasonable alternative considered by the Department, or that has otherwise been identified and brought to the attention of the Department, would be more effective in carrying out the purpose for which these regulations are proposed or would be more effective and less burdensome to affected private persons than the proposed regulations.

AUTHORITY AND REFERENCE

Notice is hereby given that the Department of Food and Agriculture, pursuant to the authority vested by Sections 407 and 42682 of the Food and Agricultural Code, and to implement, interpret, or make specific Section 42941 of the Food and Agricultural Code, proposes to amend regulations in Title 3 of the California Code of Regulations.

CONTACT

Inquiries concerning the proposed administrative action may be directed to Sonja Dame or Robert Cummings. Inquiries pertaining to the substance of the

proposed regulation may be directed to Robert Cummings. The contact persons may be reached at the Department of Food and Agriculture, Fruit, Vegetable, and Egg Quality Control Branch, 1220 N Street, Room A-447, Sacramento, CA 95814, (916) 654-0919, fax (916) 654-0666. Written comments may also be submitted via e-mail at sdame@cdfa.ca.gov

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS IN PLAIN ENGLISH

A complete copy of existing regulations, the proposed changes, and the Initial Statement of Reasons may be obtained on request from the Department of Food and Agriculture. These documents are available on our website at www.cdfa.ca.gov/cdfa/regs

In addition, all information, including reports, documentation, and other materials (rulemaking file) related to the proposed action is available upon request from the agency contact persons named in the notice. The Final Statement of Reasons, when available, may also be obtained from the agency contact persons named in the above CONTACT section. The text of the proposed regulations, with any sufficiently related changes clearly indicated, will be made available for 15 days prior to adoption.

TITLE 4. CALIFORNIA GAMBLING CONTROL COMMISSION

NOTICE OF PROPOSED RULEMAKING

"Work Permits-Grounds of Denial and Temporary Permits"

The California Gambling Control Commission ("Commission") proposes to adopt the regulations described below after considering all comments, objections, or recommendations regarding the proposed action.

PROPOSED REGULATORY ACTION

The Commission proposes to adopt Sections 12100, 12102, 12104, 12106, 12108, 12120 and 12130 of Title 4 of the California Code of Regulations, concerning temporary work permits and the grounds of denial of work permits.

PUBLIC HEARING

The Commission will hold a public hearing starting at 1:00 p.m. on Monday, August 26, 2002 at 2399 Gateway Oaks Drive, Suite 100, Sacramento, CA 95833-4231. The room is wheelchair accessible. At the hearing, any person may present statements or arguments orally or in writing relevant to the proposed action described in the Informative Digest. No oral statements will be accepted subsequent to this public hearing.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Commission. All written comments must be received no later than 5:00 p.m. Monday, August 26, 2002 (the date of the public hearing).

Written comments for the Commission's consideration should be directed to:

Herb Bolz, Senior Legal Counsel and Regulations Coordinator, California Gambling Control Commission, 2399 Gateway Oaks Drive, Suite 100 Sacramento, CA 95833-4231; Telephone: 916-263-00490, E-mail: hbolz@cgcc.ca.gov, FAX 916-263-0452.

AUTHORITY AND REFERENCE

Authority for the proposed regulations is provided by various provisions of the Gambling Control Act, which may be found in Business and Professions ("B & P") Code sections 19800-19980. In particular, B & P Code sections 19810A, 19822A, 19823A, 19830A(a), 19834A, and 19910.5A. Authority is also provided by Government Code section 15376.

The reference citations are as follows: the proposed regulations implement, interpret, or make specific B & P Code sections 10, 19800, 19801, 19808, 19810A, 19815, 19822A, 19823A, 19848A, 19850A, 19854A, 19910, 19910.4, 19910.5A, and 19912A(b), as well as Government Code sections 15375 and 15376.

INFORMATIVE DIGEST AND POLICY STATEMENT OVERVIEW

Existing law (the Gambling Control Act) authorizes the Commission to issue work permits, including temporary work permits, for cardroom personnel. The proposed regulations would establish criteria and procedures for (1) the issuance of temporary work permits (and related matters) and (2) the handling of requests for transfer of regular work permits from one place of employment to another. The proposed regulations would also (1) mandate use of a standard application form for both regular and temporary work permits and (2) include instructions for completion of the background investigation process.

There were no regulations governing issuance of temporary work permits prior to emergency adoption of regulations on this topic in November 2001. The present action is intended to result in permanent work permit regulations.

Existing law does not contain criteria, other than reasonableness and age, for denying work permit applications.

This action would set forth grounds for denial of regular and temporary work permit applications. This action would, among other things, incorporate by reference the criteria in the statute that sets out the

grounds for denial of license applications, Business and Professions Code section 19850A(a). This action would also provide that the criteria listed in the statute shall constitute grounds for objection to issuance of a work permit by a local permitting authority.

DISCLOSURES REGARDING THE PROPOSED ACTION

Mandate on local agencies and school districts:

These regulations do not impose a mandate on local agencies or school districts. Insofar as there is an associated mandate, it is a mandate imposed by statute.

Business and Professions Code section 19910.5A, subdivision (b), prohibits local agencies from issuing permits to any person who would be disqualified for the reasons specified in paragraphs (1) through (7), inclusive, of subdivision (a) of Business and Professions Code section 19850, a statutory provision that this regulation would make expressly applicable to applications for Commission-issued work permits. Business and Professions Code section 19910.5A also (1) authorizes the Division of Gambling Control of the California Department of Justice ("Division") to object to the issuance of a work permit by a local agency "for any cause deemed reasonable by the Division"; (2) mandates the local agency to deny the permit if a Division objection is received; and (3) directs the Commission to adopt regulations specifying particular grounds for objection to issuance of a permit. In compliance with subdivision (c)(1) of Business and Professions Code section 19910.5A (which mandates adoption of regulations by the Commission), the Commission is adopting subdivision (d) of regulation section 12130, which provides that the criteria set forth in section 12130 shall constitute grounds for objection to the issuance of a work permit by a local agency.

Cost or savings to any state agency: None, except as follows: the regulations relating to (a) applications for temporary work permits and (b) transfer of an existing permit to a new place of employment will not result in any significant additional workload for the Commission's staff. However, Commission staff has already assumed additional workload concerning work permits that was not identified or included in the original staffing package. This additional workload will be addressed through the traditional budget change proposal process.

Cost to any local agency or school district that must be reimbursed in accordance with Government Code section 17561: None

Other non-discretionary cost or savings imposed upon local agencies: None

Cost or savings in federal funding to the state: None

Cost impact on representative private person or business: The cost impact of the proposed regulations is not expected to be significantly adverse. A representative private person applying for a temporary work permit would incur a one-time application fee of \$25. However, when applying for a regular work permit a person is required to submit a passport photo, and when applying for a temporary work permit he or she will be required to submit an additional passport photo. Under normal circumstances when a passport photo is taken, the vendor provides two copies of the photo, which would cover both the regular work permit photo and the temporary work permit photo, but if there is a need to have the picture retaken for the temporary work permit, then there would be a cost of approximately \$15. Overall, the cost impact of this regulation on a representative person or business would be approximately \$40.

Impact on Business: The Commission has made an initial determination that the proposed regulatory changes will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

Significant effect on housing costs: The Commission has made an initial determination that the proposed regulatory action would not affect housing costs.

Effect on small business: The Commission has made an initial determination that the effect these regulations will have on small business will largely be positive, in that permit processing delays adversely affect the economic viability of cardrooms. If a small cardroom cannot fill a vacant dealer position, it may be compelled to shut down part of its operation or to fill a sensitive dealer position with a person who is not trained.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5(a)(13), the Commission must determine that no reasonable alternative considered by the Commission or that has otherwise been identified and brought to the attention of the Commission would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

The purpose of the proposed regulations is to set criteria and standards for the issuance of temporary work permits and the denial of regular work permits. The Commission does not believe that existing law absent this regulation achieves that objective. Moreover, the Commission has been unable to identify any alternative to the proposed regulation that achieves the objective. The Commission invites interested persons

to present statements or arguments regarding alternatives to the proposed regulation at the public hearing or during the written comment period.

ASSESSMENT REGARDING CREATION OR ELIMINATION OF JOBS IN CALIFORNIA

The Commission has made an assessment and determined that the adoption of the proposed regulation will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California.

CONTACT PERSONS

Inquiries concerning the substance of the proposed action should be directed to:

Herb Bolz, Senior Legal Counsel and Regulations Coordinator, California Gambling Control Commission, 2399 Gateway Oaks Drive, Suite 100 Sacramento, CA 95833-4231; Telephone: 916-263-00490, E-mail: hbolz@cgcc.ca.gov, FAX 916-263-0452.

Requests for a copy of the proposed text of the regulation, the initial statement of reasons, the modified text of the regulation, if any, or other technical information upon which the rulemaking is based should be directed to:

Herb Bolz, Senior Legal Counsel and Regulations Coordinator, California Gambling Control Commission, 2399 Gateway Oaks Drive, Suite 100 Sacramento, CA 95833-4231; Telephone: 916-263-00490, E-mail: hbolz@cgcc.ca.gov, FAX 916-263-0452.

Or:

Susie Hernandez, Regulations Analyst, Telephone: (916) 274-0688 FAX number: (916) 263-0499, e-mail shernandez@cgcc.ca.gov.

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Regulations Coordinator will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at the office at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulation, and the initial statement of reasons. A copy may be obtained by contacting the Regulations Coordinator at the address or telephone number listed above or accessing the California Gambling Control Commission's website at <http://www.cgcc.ca.gov>. Upon its completion, the Final Statement of Reasons will be available and copies may be requested from the Regulations Coordinator or viewed on the website.

AVAILABILITY OF CHANGED
OR MODIFIED TEXT

Following the public hearing, the Commission may adopt the proposed regulation substantially as described in this notice. If modifications are made which are sufficiently related to the originally proposed text, the modified text, with changes clearly indicated, will be made available to the public for at least 15 days prior to the date on which the Commission adopts the regulation. Requests for copies of any modified regulation should be sent to the attention of the Regulations Coordinator at the address indicated above. The Commission will accept written comments on the modified regulation for 15 days after the date on which it is made available.

**TITLE 4. CALIFORNIA HORSE
RACING BOARD**

NOTICE OF PROPOSAL TO ADD RULE 1867
PROHIBITED VETERINARY PRACTICES

The California Horse Racing Board (Board) proposes to adopt the regulation described below after considering all comments, objections or recommendations regarding the proposed action.

The Board proposes to add Rule 1867, Prohibited Veterinary Practices, of the California Code of Regulations, Title 4, Division 4. The proposed regulation would identify what constitutes a prohibited veterinary practice on the premises of a facility under the jurisdiction of the Board. The regulation also lists two prohibited drug substances: Erythropoietin and Darbepoietin.

PUBLIC HEARING

The Board will hold a public hearing starting at **10:00 a.m., Thursday, August 22, 2002**, or as soon after that as business before the Board will permit, at the **Del Mar Simulcast Facility, 2260 Jimmy Durante Boulevard, Del Mar, California**. At the hearing, any person may present statement or arguments orally or in writing about the proposed action described in the informative digest. It is requested, but not required, that persons making oral comments at the hearing submit a written copy of their testimony at the hearing.

WRITTEN COMMENT PERIOD

Any interested person, or their authorized representative, may submit written comments about the proposed regulatory action to the Board. The written comment period closes at **5:00 p.m. on August 19, 2002**. All comments must be received by that time at the board, however, written comments may still be submitted at the public hearing. Submit comments to:

Harold Coburn, Regulations Analyst
California Horse Racing Board
1010 Hurley Way, Suite 300
Sacramento, CA 95825
Telephone: (916) 263-6397
Fax: (916) 263-6042
E-mail: HaroldA@chrb.ca.gov

AUTHORITY AND REFERENCE

Authority cited: Sections 19440 and 19562, Business and Professions (B&P) Code.

Reference: Sections 19580 and 19581 B&P Code.

B&P Code Sections 19440 and 19562 authorize the Board to adopt the proposed regulation, which would implement, interpret, or make specific Sections 19580 and 19581 of the B&P Code.

INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW

The proposed addition of Rule 1867 will establish that use or possession of enumerated drugs, substances, or medications on the premises of a facility under the jurisdiction of the Board is prohibited. Prohibited practices would encompass drugs, substances, or medications for which a recognized analytical method has not been developed to detect and confirm its administration; or the use of which would endanger the health and welfare of the horse, or the safety of the rider or driver. In addition, the possession or use of any drug, substance or medication that has not been approved by the United States Food and Drug Administration (FDA) for use in the United States would be a prohibited practice. The drugs Erythropoietin and Darbepoietin are specifically prohibited under Rule 1867.

Post-race urine and blood samples are taken and tested under the Board's comprehensive testing program. The application of available technology within the Board's testing program enhances its ability to detect a wide range of prohibited drug substances. Test samples are first screened for the presence of a broad range of drugs. If a drug substance is detected, the sample is tested again to confirm its presence. Rule 1867 specifically prohibits the possession or use of drugs, substances or medications for which a recognized analytical method has not been developed to detect and confirm its administration. This means testing methods which are widely accepted as valid in the scientific community and which are in common use in racing laboratories. Such tests must screen for specific drug substances and confirm their presence without controversy.

There are substances that may be in use at race tracks that are difficult to detect under current laboratory testing methods. Two such drugs are Erythropoietin, otherwise known as EPO, and Darbepoietin. These drugs are closely related human

medications used to increase red blood cell concentration. In theory Erythropoietin and Darbepoietin would improve the stamina of the horse and therefore improve performance. However, there is evidence that serious adverse effects could result to the horse from the administration of these drugs. Adverse effects would include server hemoconcentration and an immune response leading to a sever anemia which may be unresponsive to treatment. There is no accepted veterinary medical use for Erythropoietin and Darbepoietin, and the FDA has not approved them for use in the horse. In addition, the Association of Racing Commissioners International has suggested its member racing commissions adopt rules to make the use and or possession of Erythropoietin and Darbepoietin at facilities under the jurisdiction of the regulatory body a prohibited practice. Rule 1867 would prohibit the possession and/or use of Erythropoietin and Darbepoietin.

The Board recognizes that there may be non-routine situations when the use of drugs which are still under investigation, unapproved drugs, or chemical substances for use in treating animals may be requested. Rule 1867 allows for such occasions by providing an exception to persons who demonstrate they have obtained an FDA exemption pursuant to the FDA Center for Veterinary Medicine (CVM) Program Policy and Procedures Manual. The FDA CVM Policy and Procedures Manual, Guide 1240.3025, sets forth the criteria and process under which an exemption for the use of unapproved substances may be requested. Guide 1240.3025 of the FDA CVM Policy and Procedures Manual has been incorporated by reference into Rule 1867 and will be available upon request at the Board's headquarters office.

DISCLOSURE REGARDING THE PROPOSED ACTION

Mandate on local agencies and school districts: none.

Other nondiscretionary cost or savings imposed upon local agencies: none.

Cost or savings to any state agency: none.

Cost to any local agency or school district that must be reimbursed in accordance with Government Code Section 17500 through 17630: none.

Cost or savings in federal funding to the state: none.

The Board has made an initial determination that the proposed regulation will not have a significant statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other states.

Cost impacts on representative private persons or businesses: The Board is not aware of any cost impacts

that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Significant effect on housing costs: none.

The adoption of the proposed regulation will not (1) create or eliminate jobs within California; (2) create new businesses or eliminate existing businesses within California; or (3) affect the expansion of businesses currently doing business within California.

Effect on small businesses: none. The proposal to adopt Rule 1867 does not have an effect on small businesses because id does not apply to small businesses. The rule identifies what constitutes a prohibited veterinary practice on the premises of a facility under the jurisdiction of Board and lists two prohibited drug substances.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code Section 11346.5, subdivision (a)(13), the Board must determine that no reasonable alternative it considered, or that has otherwise been identified and brought to the attention of the Board, would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

The Board invites interested persons to present statements or arguments with respect to alternatives to the proposed regulation at the scheduled hearing or during the written comment period.

CONTACT PERSONS

Inquiries concerning the substance of the proposed action and requests for copies of the proposed text of the regulation, the initial statement of reasons, the modified text of the regulation, if any, and other information upon which the rulemaking is based should be directed to:

Harold Coburn, Regulations Analyst
California Horse Racing Board
Policy and Regulation Unit
1010 Hurley Way, Suite 300
Sacramento, CA 95825
Telephone: (916) 263-6397
E-mail: HaroldA@chrb.ca.gov

If the person named above is not available, interested parties may contact:

Pat Noble, Regulations Analyst
Telephone: (916) 263-6033

Jacqueline Wagner, Manager
Policy and Regulations Unit
Telephone (916) 263-6041

**AVAILABILITY OF STATEMENT OR REASONS
AND TEXT OF PROPOSED REGULATION**

The Board will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office, at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulation, and the initial statement of reasons. Copies may be obtained by contacting Harold Coburn, or the alternate contact persons, at the address, phone numbers, or e-mail address listed above.

AVAILABILITY OF MODIFIED TEXT

After holding the hearing and considering all timely and relevant comments received, the Board may adopt the proposed regulation substantially as described in this notice. If modifications are made which are sufficiently related to the original text, the modified text—with changes clearly marked—shall be made available to the public for at least 15 days prior to the date on which the Board adopts the regulation. Requests for copies of any modified regulation should be sent to the attention of Harold Coburn at the address stated above. The Board will accept written comments on the modified regulation for 15 days after the date on which it is made available.

**AVAILABILITY OF FINAL
STATEMENT OF REASONS**

Requests for copies of the final statement of reasons, which will be available after the Board has adopted the proposed regulation in its current or in a modified form, should be sent to Harold Coburn at the address stated above.

BOARD WEB SITE ACCESS

The Board will have the entire rulemaking file available for inspection throughout the rulemaking process at its web site. The rulemaking file consists of the notice, the proposed text of the regulation, and the initial statement of reasons. The Board's web site address is www.chrb.ca.gov.

**TITLE 5. COMMISSION ON
TEACHER CREDENTIALING**

CALIFORNIA CODE OF REGULATIONS

**PROPOSED AMENDMENT OF
SECTIONS 80001 AND 80434
PERTAINING TO DEFINITIONS AND
TERMS AND ACCEPTANCE OF
ELECTRONIC SIGNATURES**

NOTICE OF PROPOSED RULEMAKING

The Commission on Teacher Credentialing proposes to amend regulatory action described below

after considering all comments, objections and recommendations regarding the proposed actions.

PUBLIC HEARING

A public hearing on the proposed actions will be held:

September 5, 2002

10:00 am

California Commission on Teacher Credentialing
1900 Capitol Avenue
Sacramento, CA 95814

Oral comments on the proposed action will be taken at the public hearing. We would appreciate 14 days advance notice in order to schedule sufficient time on the agenda for all speakers. Please contact Dale Janssen at (916) 323-5065 regarding this.

Any person wishing to submit written comments at the public hearing may do so. It is requested, but not required, that persons submitting such comments provide fifty copies to be distributed to the Commissioners and interested members of the public. All written statements submitted at the hearing will, however, be given full consideration regardless of the number of copies submitted.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments by fax, through the mail, or by e-mail on the proposed action. The written comment period closes at 5:00 p.m. on September 4, 2002. Comments must be received by that time or may be submitted at the public hearing. You may fax your response to (916) 327-3166; write to the California Commission on Teacher Credentialing, attention Dale Janssen, 1900 Capitol Avenue, Sacramento, CA 95814; or submit an e-mail at djanssen@ctc.ca.gov.

Any written comments received 14 days prior to the public hearing will be reproduced by the Commission's staff for each Commissioner as a courtesy to the person submitting the comments and will be included in the written agenda prepared for and presented to the full Commission at the hearing.

AUTHORITY AND REFERENCE

Education Code Section 44225 authorizes the Commission to adopt the proposed actions, which will implement, interpret or make specific sections 44252 of the Education Code and govern the procedures of the Commission.

**INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW**

Summary of Existing Laws and Regulations

Education Code Section 44225 provides that the Commission may promulgate rules and regulations.

80001(l) Staff is proposing that the Commission define "signature" or "signed" to include electronic signatures. The second phase of the Teacher Credential Service Improvement Project (TCSIP) is for teachers to renew their documents on the Internet. In order to accept an application completed on the Internet the Commission will need to accept an electronic signature.

80001(m) Staff is proposing that documentation submitted to the Commission may be submitted via traditional methods or electronically. The third phase of the TCSIP includes the development of a process for colleges and universities to submit documentation for certification via an electronic process. The proposed language for this section clarifies that the Commission may accept documentation through an electronic process.

80434 This is a new section that is being proposed to clarify that the Commission may accept an electronic signature on forms that are required for certification or any other process where the Commission may require a signature.

The State of California is encouraging state agencies to utilize the Internet to conduct processes or e-commerce that can be adapted to the Internet. Phase 2 of the Teacher Credential Service Improvement Project (TCSIP), a Commission on Teacher Credentialing technology project, is being developed to allow teachers and day-to-day substitutes to renew their credentials on the Internet. For the Commission to process the online application it must accept an electronic signature in place of a manual signature. The proposed addition to the definitions in Title 5 and the addition of a new section accepting electronic signatures will clarify that the Commission can accept an electronic signature for the Oath and Affidavit section of the application. An application is not considered complete until the Oath and Affidavit section is signed. This section states that the applicant swears or affirms that he or she will support the United States and State of California Constitutions and the laws of the United States and the State. The Oath and Affidavit also requires the applicant to certify or declare under penalty of perjury under the laws of the State of California that the statements made on the application are true and correct. The teacher renewing a credential online will be required to check a box that includes the wording from the Oath and Affidavit as well as type in the City, State/Province/Region, County and Country. By checking this box and completing the location information the applicant solemnly swears or affirms the Oath and Affidavit.

The second addition to the Title 5 definitions pertains to the acceptance of documentation submitted electronically. Phase 3 of the TCSIP includes the

development of a method for Commission stakeholders to submit documentation electronically. The addition of "submitted" to the Title 5 definitions will clarify that the Commission will have the authority to accept non-paper based documentation. The plan for Phase 3 is for colleges and universities to submit transcripts and other documentation for certification via electronic means.

Documents Incorporated by Reference

None

DISCLOSURES REGARDING THE
PROPOSED ACTIONS

The Commission has made the following initial determinations:

Mandated costs to local agencies or school districts:

None

Other non-discretionary costs or savings imposed upon local agencies: None

Cost or savings to any state agency: None

Cost or savings in federal funding to the state: None

Significant effect on housing costs: None

Significant statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other states: None

Cost impacts on a representative private person or business: The Commission is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Assessment regarding the creation or elimination of jobs in California (Govt. Code § 11346.3(b)): The Commission has made an assessment that the proposed amendment to the regulation(s) would not (1) create nor eliminate jobs within California, (2) create new business or eliminate existing businesses within California, and (3) affect the expansion of businesses currently doing business within California.

Effect on small businesses: The Commission has determined that the proposed amendment to the regulations does not effect small business. The regulations are not mandatory but an option that effects public school districts and county offices of education.

CONSIDERATION OF ALTERNATIVES

The Commission must determine that no reasonable alternative it considered or that has otherwise been identified and brought to the attention of the Commission would be more effective in carrying out the purpose for which the actions are proposed or would

be as effective and less burdensome to affected private persons or small businesses than the proposed action. Interested individuals may present statements or arguments with respect to alternatives to the proposed regulations at the scheduled hearing or during the written comment period.

CONTACT PERSON/FURTHER INFORMATION

Inquiries concerning the proposed action may be directed to Dale Janssen at (916) 323-5065 or Dale Janssen, Commission on Teacher Credentialing, 1900 Capitol Ave. Sacramento, CA 95814. Upon request, a copy of the express terms of the proposed action and a copy of the initial statement of reasons will be made available. Also available upon request is a copy of the documents incorporated by reference. This information is also available on the Commission's web-site at <<http://www.ctc.ca.gov>>. In addition, all the information on which this proposal is based is available for inspection and copying.

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The entire rulemaking file is available for inspection and copying throughout the rulemaking process at the Commission office at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of regulations, and the initial statement of reasons.

MODIFICATION OF PROPOSED ACTION(S)

If the Commission proposes to modify the actions hereby proposed, the modifications (other than non-substantial or solely grammatical modifications) will be made available for public comment for at least 15 days before they are adopted.

AVAILABILITY OF FINAL STATEMENT OF REASONS

The Final Statement of Reasons is submitted to the Office of Administrative Law as part of the final rulemaking package, after the public hearing. When it is available, it will be placed on the Commission's web site at <<http://www.ctc.ca.gov>> or you may obtain a copy by contacting Dale Janssen at (916) 323-5065.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Action, the Initial Statement of Reasons and the text of the regulations in underline and strikeout can be accessed through the Commission's web site at www.ctc.ca.gov.

TITLE 14. CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

NOTICE OF PROPOSED RULEMAKING

DIVISION 7. NATURAL RESOURCES

CHAPTER 5. ENFORCEMENT OF SOLID WASTE STANDARDS AND ADMINISTRATION OF SOLID WASTE PERMITS; LOAN GUARANTEES

ARTICLE 5.1. INVENTORY OF SOLID WASTE FACILITIES WHICH VIOLATE STATE MINIMUM STANDARDS

PROPOSED REGULATORY ACTION

The California Integrated Waste Management Board (CIWMB) proposes to amend Title 14, California Code of Regulations (14 CCR), Division 7, Chapter 5, Article 5.1, commencing with section 18360. The new proposed regulations set forth the procedures for inclusion and removal from the Inventory of Solid Waste Facilities Which Violate State Minimum Standards.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulations to the CIWMB. The written comment period for this rulemaking ends at 5:00 p.m. on Aug 19, 2002. The CIWMB will also accept written comments during the public hearing described below. Please submit your written comments to:

Suzanne Hambleton
California Integrated Waste Management Board
Permitting and Enforcement Division
P.O. Box 4025, MS 15
Sacramento, CA 95812-4025
FAX: (916) 319-7439
e-mail: shamblet@ciwmb.ca.gov

PUBLIC HEARING

CIWMB will conduct a public hearing on the proposed regulations before the Permitting and Enforcement Committee of the CIWMB at the Joe Serna, Jr. Cal/EPA Building, 2nd Floor Sierra Hearing Room, 1001 I Street, Sacramento, CA on September 9, 2002. The hearing will begin at 9:00 a.m. and conclude after all testimony is given. The CIWMB requests that persons who make oral comments at the hearing also submit a written copy of their testimony at the hearing. The Sierra Hearing Room is wheelchair accessible. Immediately following the hearing, the Permitting and Enforcement Committee may consider recommending

the proposed regulations for adoption by the CIWMB Board. If such a recommendation is made, the Board would consider the proposed regulations at its September 17–18, 2002 meeting in the Central Valley Auditorium of the address given above.

INFORMATIVE DIGEST

The Integrated Waste Management Act (Act) [AB 939 (Sher), Stats. 1989, c. 1095] and Public Resources Code (PRC) Section 40000 et seq., provides for the protection of public health and safety and the environment through waste prevention, waste diversion, and safe solid waste processing and disposal. PRC Section 40502 requires the CIWMB to adopt rules and regulations to implement this Act. PRC Section 43020 requires the CIWMB to adopt and revise regulations, which set forth minimum standards for solid waste handling, transfer, composting, transformation, and disposal. Regulations in California Code of Regulations, Title 14, Division 7, Chapter 5, Article 5.1, sets forth the procedures for inclusion and removal from the Inventory of Solid Waste Facilities which Violate State Minimum Standards.

In 1989, the passage of AB 939 recodified the requirement for the Board to maintain an Inventory of Solid Waste Facilities Which Violate State Minimum Standards (Inventory) to Section 44104 of Division 30 of the Public Resources Code (PRC). This section requires notification of the operator and a 90-day grace period before placing a facility on the Inventory. In order to implement PRC 44104, the Board adopted a method for including facilities on the Inventory at its May 28, 1992 business meeting.

The Solid Waste Disposal Regulatory Reform Act of 1993 (AB 1220) had a significant impact on the process by which solid waste facilities were placed on the Inventory. AB 1220 emphasized the Board's role in LEA training, assistance and evaluation, rather than a direct role in compliance. As a result, Board staff developed LEA Advisories No. 14 (issued May 25, 1994) and No. 14R (issued September 6, 1995) to provide guidance to the local enforcement agencies (LEA) on the Inventory process.

As a consequence of the 1996 lawsuit with the Natural Resources Defense Council, the Board could no longer implement the "Revised Policy and Procedures for Maintaining the Inventory of Solid Waste Facilities Which Violate State Minimum Standards" (LEA Advisory #14R). In the absence of regulations, the strict interpretation of PRC 44104 and 44106 was applied. This interpretation meant that any solid waste facility which violated any State Minimum Standard in the California Code of Regulations for any length of time was subject to being sent a 90-day Notice of Intent to include the facility on the Inventory.

A September 1997 Permitting and Enforcement Committee Agenda Item contained an introduction to the Inventory for its initial publication on the CIWMB website. This guide described the three steps for inclusion on the Inventory, including that facility receipt of a Notice of Intent letter when Board staff note at least one violation for two consecutive months on LEA monthly inspection reports. Board staff is currently using this procedure for Notice of Intent letters and it is incorporated into the proposed regulations.

The statutes that apply to the Inventory (Public Resources Code 44104 and 44106) require the Board to maintain and publish twice annually an Inventory list, require the Board to give a 90-day notice to the owner and operator before the facility is included on the Inventory, require the enforcement agency to develop a compliance schedule for a facility on the Inventory, and allow the enforcement agency to revoke the permit of a facility that does not comply with its compliance schedule. The proposed regulations expand on these procedures to include a definition of "compliance schedule", a method for notifying facilities that they have corrected the violation within the 90-day period, a method for notification and removal of facilities from the Inventory list, options for updating the list, and details the roles of the enforcement agency and the Board in the entire process.

POLICY STATEMENT OVERVIEW

The proposed regulations provide guidance for administering the Inventory list established in statute; they were written to assist enforcement agencies and Board staff to achieve consistency in implementing the Inventory statewide.

PLAIN ENGLISH REQUIREMENTS

CIWMB staff prepared the proposed final regulations pursuant to the standard of clarity provided in Government Code Section 11349 and the plain English requirements of Government Code Section 11342.580 and 11346.2(a)(1). The proposed final regulations are considered non-technical and are written to be easily understood by those parties that will use them.

AUTHORITY AND REFERENCES

PRC Sections 40502, 43020, and 43021 provide authority for these regulations. The purpose of the proposed regulations is to implement, interpret, and make specific PRC Sections 44104 and 44106.

FEDERAL LAW OR REGULATIONS MANDATE

Federal law or regulations do not contain comparable requirements.

LOCAL MANDATE AND FISCAL DETERMINATIONS

CIWMB staff has determined that the proposed regulations do not impose: 1) a mandate on local school districts; 2) significant costs or savings to any state agency; 3) costs to any local agency or school district that must be reimbursed in accordance with Government Code Sections 17500 through 17630; 4) other non-discretionary costs or savings on local agencies; or 5) costs or savings in federal funding to the state.

EFFECT ON HOUSING COSTS

CIWMB staff made an initial determination that the proposed regulations will not have a significant effect on housing costs.

EFFECT ON BUSINESSES

CIWMB staff made an initial determination that the proposed regulations will not have a significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

EFFECT ON SMALL BUSINESSES

CIWMB staff determined that the proposed regulations would have no significant economic impact on businesses within the state of California.

EFFECT ON CREATION OR ELIMINATION OF JOBS, EXISTING OR NEW BUSINESS IN THE STATE OF CALIFORNIA

CIWMB staff has determined that the proposed regulatory action will not affect: 1) the creation or elimination of jobs within the State of California; 2) the creation of new businesses or the elimination of existing businesses within California; or 3) the expansion of businesses currently doing business with the state.

COST IMPACTS ON REPRESENTATIVE PRIVATE PERSONS OR BUSINESSES

CIWMB staff determined that the adoption of the proposed regulations would not have a cost impact on private persons or enterprises, and will have some benefit by clarifying existing definitions and clarifying the enforcement process.

CONSIDERATION OF ALTERNATIVES

The CIWMB must determine that no reasonable alternative considered by the CIWMB or that has otherwise been identified and brought to the attention of the CIWMB would be more effective in carrying out the purpose for which the action is proposed, or would be as effective and less burdensome to affected private persons than the proposed action. The CIWMB

invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations during the written comment period.

CONTACT PERSONS

Inquiries concerning the proposed administrative action or the substance of the proposed regulations may be directed to:

Suzanne Hambleton
California Integrated Waste Management Board
Permitting and Enforcement Division
P.O. Box 4025, MS 15
Sacramento, CA 95812-4025
(916) 341-6337
FAX: (916) 319-7439
e-mail: shamblet@ciwmb.ca.gov

Back-up contact person to whom inquiries concerning the proposed administrative action may be directed:

Leslee Newton-Reed
California Integrated Waste Management Board
Permitting and Enforcement Division
P.O. Box 4025, MS 15
Sacramento, CA 95812-4025
(916) 341-6312
FAX: (916) 319-7281
e-mail: lnewton@ciwmb.ca.gov

AVAILABILITY OF INITIAL STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The CIWMB will have the entire rulemaking file, and all information upon which the proposed regulations are based, available for inspection and copying throughout the rulemaking process at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulations, and the Initial Statement of Reasons. Copies may be obtained by contacting Suzanne Hambleton at the address, e-mail, or telephone number listed above. For more timely access to the proposed text of the regulations, and in the interest of waste prevention, interested parties are encouraged to access the CIWMB's website at <http://www.ciwmb.ca.gov/Rulemaking/inventory>.

Additionally, the Final Statement of Reasons will be available at the above listed Internet address or you may call the contact persons named above.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

The CIWMB may adopt the proposed regulations substantially as described in this notice. If the CIWMB makes modifications which are sufficiently related to the proposed text, it will make the modified text—with changes clearly indicated—available to the public for

at least 15 days before the CIWMB adopts the regulations as revised. Requests for the modified text should be made to the contact person. The CIWMB will mail any modified text to all persons who testify at a public hearing; all persons who submit written comments at a public hearing; all persons whose comments are received during the comment period; and all persons who request notification of the availability of such changes. The CIWMB will accept written comments on the modified regulations for 15 days after the date on which they are made available.

TITLE 19. OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF PROPOSED RULEMAKING

California Code of Regulations Title-19

The State Fire Marshal proposes to amend the proposed regulations described below after considering all comments, objections or recommendations regarding the proposed action.

PUBLIC HEARING

The State Fire Marshal has not scheduled a public hearing on this proposed action. However, the State Fire Marshal will hold a hearing if it receives a written request from any interested party, or their authorized representative, no later than 15 days before the end of the 45-day written comment period.

WRITTEN COMMENT PERIOD

The State Fire Marshal will accept written comments regarding this regulatory action until 5 pm on Friday, September 6, 2002.

Send mailed comments to:

OFFICE OF THE STATE FIRE MARSHAL
Attention: Rodney Slaughter, DSFM III
P.O. Box 944246
Sacramento, California 94244-2460

Or by e-mail to:

rodney.slaughter@fire.ca.gov

Or you can fax your comments to:

Attention: Rodney Slaughter, DSFM III
(916) 445-8459

AUTHORITY AND REFERENCE

The Health and Safety Code, Section 12570, authorizes the State Fire Marshal to adopt the proposed regulation. The reference for this action is Health & Safety Code § 13143.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The fee structure for high power rockets is not specifically identified in the current regulations. License fees for high powered rockets were grouped together with other firework-related industries such as commercial fireworks, special effects and theatrical. It was found that a new fee structure for the high powered rocket industry is long overdue. The current fee for manufacturer, importer/exporter, wholesaler, or any combination there of a pyrotechnic device license is \$7,500.00. There is currently no specific fee structure applied only to the high power rocket industry and its users. This proposed change would specify a new and specific fee structure for the rocketry industry and its users. The new \$1,500 license fee will significantly reduce the licensing cost for the high-powered rocket motor industry.

DISCLOSURES REGARDING THE PROPOSED ACTION

The State Fire Marshal has made the following determinations:

1. Mandate on local agencies and school districts: **None**
2. Cost or savings to any other State agency: **None**
3. Cost to any local agency or school district which must be reimbursed in accordance with Government Code, Section 17561: **None**
4. Other non-discretionary cost or savings imposed upon local agencies: **None**
5. Cost or savings in federal funding to the State: **None**
6. Significant statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other States: **None**
7. Cost impact on private persons or directly affected businesses: **The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed actions.**
Adoption of these regulations will not:
 - a) create or eliminate jobs within California;
 - b) create new businesses or eliminate existing businesses within California; or
 - c) affect the expansion of businesses currently doing business within California.
8. Significant effect on housing costs: **None**

SMALL BUSINESS EFFECTS

The State Fire Marshal has made an initial determination that the amendments to these regulations will not adversely affect small business. The proposed regulation actually helps the high powered rocket industry by lowering the licensing fee.

CONSIDERATION OF ALTERNATIVES

The State Fire Marshal must determine that no reasonable alternative considered by it or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the regulations are proposed or that would be as effective or less burdensome to affected private persons than the proposed regulations.

The State Fire Marshal invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations at the scheduled hearing or during the written comment period.

CONTACT PERSON

Inquires concerning the proposed regulatory action, or requests for copies of the proposed text of the regulations, the initial statement of reasons, the modified text of the regulations, or other information upon which the rulemaking is based may be directed to:

Rodney Slaughter DSFM III
P.O. Box 944246
Sacramento, California 94244-2460
Telephone: (916) 445-8454
Fax: (916) 445-8459
E-mail: rodney.slaughter@fire.ca.gov

Program specific information or questions on the substance of the proposed regulations should be directed to the back-up contact:

Ben Ho, DSFM Supervisor
P.O. Box 944246
Sacramento, California 94244-2460
Telephone: (916) 445-8415
Fax: (916) 445-8458
E-mail: ben.ho@fire.ca.gov

**AVAILABILITY OF STATEMENT OF REASONS
AND TEXT OF PROPOSED REGULATIONS**

The Office of the State Fire Marshal will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office, shown above. As of this date, this notice is published in the Notice Register the State Fire Marshal rulemaking file consists of this notice, the proposed text of the regulations, and the initial statement of reasons for the proposed action. The full text of the regulations, along with the final statement of reasons

upon which the changes are based is available from the contact person as shown. Copies may be obtained by contacting Rodney Slaughter at the address or telephone number listed above.

**AVAILABILITY OF CHANGED OR
MODIFIED TEXT**

Following the 45-day written comment period, the State Fire Marshal may adopt the proposed regulations substantially as described in this notice. If modifications are made which are sufficiently related to the originally proposed text, the modified text—with changes indicated—shall be made available to the public for at least 15 days before the State Fire Marshal adopts (amends or repeals) the regulations as revised. Requests for copies of any modified regulations should be sent to Rodney Slaughter at the address indicated above. The State Fire Marshal will accept written comments on the modified regulations for 15 days after the date on which they are made available.

**AVAILABILITY OF THE FINAL STATEMENT
OF REASONS**

Upon its completion, copies of the Final Statement of Reasons may be obtained by Contacting Deputy Slaughter at the above address.

**AVAILABILITY OF DOCUMENTS
ON THE INTERNET**

Copies of the Notice of Proposed Action, the Initial Statement of Reasons and the text of proposed regulations, highlighted in underline and strikeout, can be accessed through our web-site at <http://osfm.fire.ca.gov>.

**TITLE 22. DEPARTMENT OF CHILD
SUPPORT SERVICES****NOTICE OF PROPOSED ACTION**

R-19-02-E

Barnes Notice

Proposed Permanent Regulations

NOTICE IS HEREBY GIVEN that the Department of Child Support Services (DCSS) has adopted these regulations on an emergency basis effective July 1, 2002; and now proposes to adopt them as permanent regulations amending Division 13 of Title 22 of the California Code of Regulations commencing with Section 119184. These regulations require the issuance of standardized statements and notices, in a specified timeframe, regarding collection and distribution of child support payments.

INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW

Federal law at 42 United States Code, Section 654, paragraph (5) provides, in part, that in any case in which support payments are collected for individuals who have assigned support rights for children receiving assistance under Title IV-A, (California Work Opportunity and Responsibility to Kids (CalWORKs) program), Title IV-E, (Foster Care), and Title XIX, (Medi-Cal), the individual will be notified on a monthly basis of the amount of the support payments collected.

Federal regulation at 45 Code of Federal Regulations Section 302.54 provides, in part, that a State plan shall have in effect procedures for issuing monthly notices of the amount of support payments collected to individuals who have assigned support rights for children receiving assistance. The monthly notice must list separately payments collected from each noncustodial parent when more than one noncustodial parent owes support to the family, and must indicate the amount of current support collected and the amount of arrearages collected and the amount of support collected which was paid to the family.

Barnes v. Anderson et al., First Amended Permanent Injunction and Judgment, No. CIV S-90-0579, filed December 14, 1998, filed with the United States District Court for the Eastern District of California, requires, in part, the issuance of notices to families receiving cash public assistance and families not receiving cash public assistance when there is either a collection or distribution of support during the period covered by the notice. The Permanent Injunction and Judgment also stipulates various data elements to be included in the notice and the timeframe for issuance of the notice.

State law at Family Code Section 17401.5 requires, in part, the local child support agency to provide notice of, and information about, the child support services hearings available in any regularly issued notices to noncustodial parents.

These emergency regulations interpret, make specific, or implement the state and federal laws and regulations cited above and make the following changes to Title 22, California Code of Regulations:

Chapter 9. Collection and Distribution of Child Support.

Article 4. Notices.

- Section 119184 was adopted to specify the requirements for issuing the monthly statement of collections and distribution of support payments and information sheet to custodial parties. This section was also adopted to specify the forms that are to be

used in the issuance of the monthly statement of collections and distribution of support payments and information sheet to custodial parties.

These regulations establish requirements for, and incorporate by reference, the following forms:

1. "Monthly Statement of Collections and Distribution," CS 916, dated (03/02).
2. "Notice of Important Information," CS 917, dated (03/02).

Manual of Policies and Procedures (MPP) Subsection 12-225.3 has been repealed because the regulatory provisions previously contained in that subsection have been modified and relocated to 22 CCR Section 119184.

AUTHORITY AND REFERENCE CITATIONS

AUTHORITY: Sections 17306, 17310 and 17312, of the Family Code. REFERENCE: Sections 17306 and 17401.5, Family Code; 42 USC Section 654; 45 CFR Section 302.54; *Barnes v. Anderson et al.*, First Amended Permanent Injunction and Judgment, NO. CIV S-90-0579, filed December 14, 1998 (United States District Court for the Eastern District of California).

PUBLIC COMMENT PERIOD

Written public comments presenting statements, arguments, or contentions relating to the text of the proposed regulations will be accepted for a period of forty-five (45) days beginning on July 5, 2002 and ending at 5 p.m. on August 19, 2002. Public comments will be accepted by any of the following means:

1. Mailed to:
Dept. of Child Support Services
Attn: Regulations Coordinator
P.O. Box 419064
Rancho Cordova, CA 95741-9064
2. Faxed to:
Dept of Child Support Services
Attn: Regulations Coordinator
(916) 464-5069
3. E-mailed to the Regulations Coordinator:
Lucila.Ledesma@dcss.ca.gov

PUBLIC HEARING

No public hearing is scheduled. Pursuant to the provisions of Government Code Section 11346.8, any interested party may request that a public hearing be scheduled. The request must be in writing and received at the above addresses for the DCSS Regulations Coordinator no later than fifteen (15) days prior to the close of the public comment period.

CONTACTS

Copies of documents and general information regarding this rulemaking may be secured by contacting Lucila Ledesma the Regulations Coordinator at 916-464-5087.

In case you are unable to reach the Regulations Coordinator, the DCSS alternative contact person for general information about this rulemaking is Donna Hershkowitz at 916-464-5181.

If you have a substantive question regarding the content of this rulemaking, you may contact Tonya Crawford-Comage, Supervisor of the Financial Management Policy Section at 916-464-5055.

HOW TO GET COPIES OF RULEMAKING DOCUMENTS

Copies of the full text of the proposed regulations, an initial statement of reasons, and all information on which this rulemaking is based may be secured from the DCSS Regulations Coordinator at the above addresses. Some of these documents are also available on the Department's public website at www.childsup.cahwnet.gov/.

The full text of a regulation changed pursuant to Government Code Section 11346.8 will be available for at least fifteen (15) days prior to the date on which DCSS adopts the resulting regulation. During that period, it may also be secured from the DCSS Regulations Coordinator at the above addresses.

Once the final statement of reasons becomes available it may also be secured from the contact persons identified above or from the DCSS public website at www.childsup.cahwnet.gov/.

IMPACT ON INDIVIDUALS AND BUSINESSES

The Department is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

The Department has made an initial determination that the regulations would not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. These regulations impact the cooperation between the Department and local child support agencies and between local child support agencies and other county administrative departments.

The Department has determined that the regulations would not significantly affect the following:

- (1) The creation or elimination of jobs within the State of California.
- (2) The creation of new businesses or the elimination of existing businesses within the State of California.

- (3) The expansion of businesses currently doing business within the State of California.

The Department has determined that the regulations would not affect small businesses. Small business would not be required to comply with or enforce these regulations nor are they expected to incur either benefits or detriments from them.

LOCAL MANDATE

The Department has determined that the regulations would not impose a mandate on local agencies or school districts.

FISCAL IMPACTS

- A. Fiscal Effect on Local Government: None.
- B. Cost or Savings to Any State Agency: None.
- C. Cost or Savings in Federal Funding to the State: None.
- D. Other Nondiscretionary Costs or Savings Imposed on Local Agencies: None.

IMPACT ON HOUSING COSTS

The Department has determined that these regulations will have no impact on housing costs.

CONSIDERATION OF ALTERNATIVES

The Department must determine that no reasonable alternative considered by the Department or that has otherwise been identified or brought to the attention of the Department would be more effective in carrying out the purpose for which these regulations are being implemented or would be as effective and less burdensome to affected private persons than these regulations.

TITLE 24. CALIFORNIA BUILDING STANDARDS COMMISSION

OFFICE OF THE STATE FIRE MARSHAL (SFM)

PART 2

REGARDING FIRE PROTECTION IN PUBLIC SCHOOLS

NOTICE IS HEREBY GIVEN that the California Building Standards Commission (CBSC) on behalf of the State Fire Marshal proposes to adopt, approve, codify, and publish building standards contained in the California Code of Regulations (CCR), Title 24, Part 2. The Office of the State Fire Marshal (SFM) is proposing to adopt and amend various Chapters, Articles and Sections of the 2001 California Building and Fire Codes regarding regulations mandating the installation of automatic fire detection and sprinkler systems in public school facilities.

PUBLIC HEARING/WRITTEN
COMMENT PERIOD

A public hearing has not been scheduled; however, written comments will be accepted from July 5, 2002 until 5:00 p.m. on August 19, 2002. Please address your comments to Michael L. Nearman, California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833. Written comments may also be faxed to (916) 263-0959 or E-mailed to cbsc@dgs.ca.gov.

Pursuant to Government Code Section 11346.5(a) 17, any interested person or his or her duly authorized representative may request, no later than 15 days prior to the close of the written comment period, that a public hearing be held.

AUTHORITY AND REFERENCE

The CBSC proposes to adopt these building standards under the authority granted by Health and Safety Code § 18949.2. The purpose of these building standards is to implement, interpret, and make specific the provisions of Health and Safety Code § 18928.

The SFM is proposing this regulatory action pursuant to the following:

Authority

- Health and Safety Code Sections 13108, 13143, and 13146
- California Education Code Article 7.5, Sections 17074.50, 17074.52 & 17074.54

Reference

- Government Code Section 11152.5.

INFORMATIVE DIGEST

Summary of Existing Laws

H&SC § 13108(a)—The SFM shall prepare and adopt building standards relating to the means of egress, the installation of fire alarms and fire extinguishing systems in any state-owned building or in any state-occupied building.

H&SC § 13143—The SFM shall prepare and adopt regulations establishing minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in any building or structure used or intended for use as an asylum, jail, mental hospital, hospital, home for the elderly, children's nursery, children's home or institution, school, or any similar occupancy of any capacity, and in any assembly occupancy where 50 or more persons may gather.

H&SC § 13146—The SFM shall have the authority to enforce building standards and other regulations.

Government Code § 11152.5—Authorizes a state department to adopt regulations pursuant to the Government Code. Regulations, which are building

standards, must be adopted pursuant to State Building Standards Law of the Health and Safety Code (commencing with Section 18901).

Summary of Existing Regulations

The SFM currently adopts by reference and enforces the 2001 California Code of Regulations, Title 24, Parts 2 and 9 with California Amendments relating to regulations that establish minimum requirements for the prevention of fire and for the protection of life and property against fire and in any building or structure used or intended for use as a school and or for the purposes of education as defined in Health and Safety Code 13143.

Summary of Effect

The California Code of Regulations, Title 24, Parts 2 and 9 currently requires the installation of automatic fire detection system and a sprinkler system in a newly constructed public school. However, a sprinkler system may be replaced by other construction elements as specified in the building code. These alternatives are typically referred to as "trade-offs" in construction. A school district may opt to voluntarily install a sprinkler system based upon the requirements of the code if they choose to do so.

The proposed regulations of this notice will no longer allow for the voluntary installation of a sprinkler system pursuant to Education Code Sections 17074.50, 17074.52, 17074.54 and 17074.56. These systems are required to be installed in all new public school buildings that house and or serve students from kindergarten to twelfth grade (K–12). Additionally, modernization projects to existing public schools are required to have at a minimum, a fire detection system throughout in the area or building of modernization.

Comparable Federal Statute or Regulations

The SFM has determined that there are no comparable federal regulations or statutes addressing the proposed code changes.

Policy Statement Overview

The SFM's broad objective is to comply with the mandates of the "Green Oaks Family Academy Elementary School Fire Protection Act." This act is an amendment to the existing California Education Code, Chapter 12.5, Article 1, commencing with section 17070.10. This existing law is known as the "Leroy F. Greene School Facilities Act of 1998" which enacted the Class Size Reduction Act of 1998 and established the 1998 State School Facilities Fund that would mandate the continuous appropriation of funds to be deposited in this fund.

This law mandates that on or after July 1, 2002, all newly constructed public schools shall have automatic fire alarm and sprinkler systems installed as approved by the SFM. Additionally, modernization projects that

that have an estimated total cost in excess of \$200,000.00 and that are submitted to the Division of the State Architect (DSA) for construction document approval are also subject to the effective date and shall have installed an automatic fire detection and alarm system as approved by the SFM.

This law also addresses the requirements for a "portable building." A portable building that is sited for less than three years and placed on a temporary foundation is exempt from the law's mandate regarding automatic fire alarm and sprinkler system requirements.

The scope of this law apply strictly to public schools that house and/or serve students from kindergarten through twelfth grade (K-12) and receive funding pursuant to Education Code commencing with section 17070.10.

**OTHER MATTERS PRESCRIBED BY STATUTE
APPLICABLE TO THE AGENCY OR TO ANY
SPECIFIC REGULATION OR CLASS
OF REGULATIONS**

The SFM has determined that there are no other matters prescribed by statute applicable to the agency or to any specific regulation or class of regulation.

**MANDATE ON LOCAL AGENCIES OR
SCHOOL DISTRICTS**

The SFM has determined that the proposed regulatory action would impose a mandate on local agencies or school districts. The existing law provides for prescribed percentage of reimbursement to a public school that is funded under the Leroy F. Greene School Facilities Act of 1998. This existing law stipulates that the State Allocation Board shall adjust the per-pupil grant amount set forth in Section 17072.10 of the Leroy F. Greene School Facilities Act of 1998, as necessary to accommodate fifty percent of the increased costs due to the automatic fire detection, alarm, and sprinkler system required pursuant to subdivision (a) of Section 17074.50.

The board shall adjust the per-pupil grant amount set forth in Section 17074.10 as necessary to accommodate eighty percent of the increased costs due to the automatic fire detection and alarm system required pursuant to subdivision (b) of Section 17074.50.

The Education Code section that stipulates the percentage of reimbursement is repeated below for clarity purposes to the Commission and interested public parties:

Education Code Section 17074.56. (a) The State Allocation Board shall adjust the per-pupil grant amount set forth in Section 17072.10 as necessary to accommodate fifty percent (50%) of the increased costs due to the automatic fire detection, alarm, and sprinkler system required pursuant to subdivision (a)

of Section 17074.50. The board shall adjust the per-pupil grant amount set forth in Section 17074.10 as necessary to accommodate eighty percent (80%) of the increased costs due to the automatic fire detection and alarm system required pursuant to subdivision (b) of Section 17074.50. The board shall establish a method to provide up to one-hundred percent (100%) of the increased costs of the automatic fire detection, alarm, and sprinkler, if applicable, systems for school districts, which qualify for hardship assistance pursuant to paragraph of subdivision (b) of Section 17075.10.

(b) By July 1, 2003, the board shall review the adequacy of the per-pupil grant adjustments made pursuant to subdivision (a) and shall increase or decrease those adjustments as determined to be necessary.

(c) Any project submitted to the Division of the State Architect on or after September 1, 2001, that includes a qualifying fire detection, alarm, and sprinkler, if applicable, system, and that has not been fully funded prior to July 1, 2002, shall be eligible for grant or eligibility adjustments as set forth in this article.

ESTIMATE OF COST OR SAVINGS

- A. Cost or Savings to any state agency: **NO**
- B. Cost to any local agency required to be reimbursed under Part 7(commencing with Section 17500) of Division 4: **NO**
- C. Cost to any school district required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **NO**
- D. Other nondiscretionary cost or savings imposed on local agencies: **NO**
- E. Cost or savings in federal funding to the state: **NO**

**INITIAL DETERMINATION OF NO
SIGNIFICANT STATEWIDE ADVERSE
ECONOMIC IMPACT ON BUSINESSES**

The initial determination of the SFM is that the proposed regulatory action will not have a significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

DECLARATION OF EVIDENCE

The SFM affirms that this rulemaking action complies specifically with the mandates of Education Code Sections 17074.50, 17074.52, 17074.54 and 17074.56 which apply strictly to state funded public school construction.

Therefore, the SFM's initial determination of no significant, statewide adverse economic impact directly affecting business in California and their ability

to compete with businesses in other states does not require any additional evidence, documents or other evidence to support this action.

**FINDING OF NECESSITY FOR THE PUBLIC'S
HEALTH, SAFETY, OR WELFARE**

The SFM has made an assessment of the proposed code changes and has determined that these changes do not require a report.

**COST IMPACT ON PRIVATE PERSON
OR BUSINESS**

The SFM is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

**ASSESSMENT OF EFFECT OF REGULATIONS
UPON JOBS AND BUSINESS EXPANSION,
ELIMINATION OR CREATION**

The SFM has assessed that adoption of these regulations will not:

- Create or eliminate jobs within California;
- Create new businesses or eliminate existing businesses within California; or
- Affect the expansion of businesses currently doing business within California.

**INITIAL DETERMINATION OF SIGNIFICANT
EFFECT ON HOUSING COSTS**

The SFM has made an initial determination that this proposal will not affect housing costs.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code § 11346.5 subdivision (a)(13), the SFM has determined that no reasonable alternative considered by it or that has been otherwise identified and brought to the attention of the SFM would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

**AVAILABILITY OF
RULEMAKING DOCUMENTS**

All of the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public review, by contacting the person named below. This notice, the express terms and initial statement of reasons can be accessed from the California Building Standards Commission website:

<http://www.bsc.ca.gov/>

Interested parties may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below or at the California Building Standards Commission website.

**AVAILABILITY OF FINAL
STATEMENT OF REASONS**

At the conclusion of this rulemaking, a Final Statement of Reasons will be prepared as required by Government Code § 11346.9. This document will be available from the contact persons named above.

**CBSC CONTACT PERSON FOR PROCEDURAL
AND ADMINISTRATIVE QUESTIONS**

General questions regarding procedural and administrative issues should be addressed to:

Michael L. Nearman or
Stanley Nishimura (Back-up person)
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833

Telephone No.: (916) 263-0916
Facsimile No.: (916) 263-0959

**SFM CONTACT PERSONS FOR SUBSTANTIVE
QUESTIONS ON THE PROPOSED
BUILDING STANDARDS**

Specific questions regarding the substantive aspects of the proposed building standards may be addressed to:

CONTACT PERSON

- Leslie R. Billington
(916) 327-4998
Fax: (916) 445-8459

BACK-UP CONTACT PERSON

- Rodney Slaughter
(916) 445-8454
Fax: (916) 445-8459

**POST-HEARING MODIFICATIONS TO THE
TEXT OF THE REGULATIONS**

Following the public comment period, the CBSC may adopt the proposed regulations substantially as proposed in this notice or with modifications that are sufficiently related to the original proposed text and notice of proposed regulatory action. If modifications are made, the full text of the proposed action with the changes clearly indicated would be made available to the public for at least 15 days prior to the date on which the CBSC adopts, amends, or repeals the regulation(s). The CBSC will accept written comments on the modified regulations during the 15-day period at the above-mentioned contacts.

TITLE 24. CALIFORNIA BUILDING STANDARDS COMMISSION

OFFICE OF THE STATE FIRE MARSHAL (SFM)

PART 9

REGARDING FIRE PROTECTION OF PUBLIC SCHOOLS

NOTICE IS HEREBY GIVEN that the California Building Standards Commission (CBSC) on behalf of the State Fire Marshal proposes to adopt, approve, codify, and publish building standards contained in the California Code of Regulations (CCR), Title 24, Part 9. The Office of the State Fire Marshal (SFM) is proposing to adopt and amend various Chapters, Articles and Sections of the 2001 California Building and Fire Codes regarding regulations mandating the installation of automatic fire detection and sprinkler systems in public school facilities.

PUBLIC HEARING/WRITTEN COMMENT PERIOD

A public hearing has not been scheduled; however, written comments will be accepted from July 5, 2002 until 5:00 p.m. on August 19, 2002. Please address your comments to Michael L. Nearman, California Building Standards Commission, 2525 Natomas Park Drive, Suite 130, Sacramento, California 95833. Written comments may also be faxed to (916) 263-0959 or E-mailed to cbcs@dgs.ca.gov.

Pursuant to Government Code Section 11346.5(a) 17, any interested person or his or her duly authorized representative may request, no later than 15 days prior to the close of the written comment period, that a public hearing be held.

AUTHORITY AND REFERENCE

The CBSC proposes to adopt these building standards under the authority granted by Health and Safety Code § 18949.2. The purpose of these building standards is to implement, interpret, and make specific the provisions of Health and Safety Code § 18928.

The SFM is proposing this regulatory action pursuant to the following:

Authority

- Health and Safety Code Sections 13108, 13143, and 13146
- California Education Code Article 7.5, Sections 17074.50, 17074.52 & 17074.54

Reference

- Government Code Section 11152.5.

INFORMATIVE DIGEST

Summary of Existing Laws

H&SC § 13108(a)—The SFM shall prepare and adopt building standards relating to the means of egress, the installation of fire alarms and fire extinguishing systems in any state-owned building or in any state-occupied building.

H&SC § 13143—The SFM shall prepare and adopt regulations establishing minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in any building or structure used or intended for use as an asylum, jail, mental hospital, hospital, home for the elderly, children's nursery, children's home or institution, school, or any similar occupancy of any capacity, and in any assembly occupancy where 50 or more persons may gather.

H&SC § 13146—The SFM shall have the authority to enforce building standards and other regulations.

Government Code § 11152.5—Authorizes a state department to adopt regulations pursuant to the Government Code. Regulations, which are building standards, must be adopted pursuant to State Building Standards Law of the Health and Safety Code (commencing with Section 18901).

Summary of Existing Regulations

The SFM currently adopts by reference and enforces the 2001 California Code of Regulations, Title 24, Parts 2 and 9 with California Amendments relating to regulations that establish minimum requirements for the prevention of fire and for the protection of life and property against fire and in any building or structure used or intended for use as a school and or for the purposes of education as defined in Health and Safety Code 13143.

Summary of Effect

The California Code of Regulations, Title 24, Part 2 currently requires the installation of automatic fire detection system and a sprinkler system in a newly constructed public school. However, a sprinkler system may be replaced by other construction elements as specified in the building code. These alternatives are typically referred to as "trade-offs" in construction. A school district may opt to voluntarily install a sprinkler system based upon the requirements of the code if they choose to do so.

The proposed regulations of this notice will no longer allow for the voluntary installation of a sprinkler system pursuant to Education Code Sections 17074.50, 17074.52, 17074.54 and 17074.56. These systems are required to be installed in all new public school buildings that house and or serve students from kindergarten to twelfth grade (K-12). Additionally,

modernization projects to existing public schools are required to have at a minimum, a fire detection system throughout in the area or building of modernization.

Comparable Federal Statute or Regulations

The SFM has determined that there are no comparable federal regulations or statutes addressing the proposed code changes.

Policy Statement Overview

The SFM's broad objective is to comply with the mandates of the "Green Oaks Family Academy Elementary School Fire Protection Act." This act is an amendment to the existing California Education Code, Chapter 12.5, Article 1, commencing with section 17070.10. This existing law is known as the "Leroy F. Greene School Facilities Act of 1998" which enacted the Class Size Reduction Act of 1998 and established the 1998 State School Facilities Fund that would mandate the continuous appropriation of funds to be deposited in this fund.

This law mandates that on or after July 1, 2002, all newly constructed public schools shall have automatic fire alarm and sprinkler systems installed as approved by the SFM. Additionally, modernization projects that have an estimated total cost in excess of \$200,000.00 and that are submitted to the Division of the State Architect (DSA) for construction document approval are also subject to the effective date and shall have installed an automatic fire detection and alarm system as approved by the SFM.

This law also addresses the requirements for a "portable building." A portable building that is sited for less than three years and placed on a temporary foundation is exempt from the law's mandate regarding automatic fire alarm and sprinkler system requirements.

The scope of this law apply strictly to public schools that house and/or serve students from kindergarten through twelfth grade (K-12) and receive funding pursuant to Education Code commencing with section 17070.10.

**OTHER MATTERS PRESCRIBED BY STATUTE
APPLICABLE TO THE AGENCY OR TO ANY
SPECIFIC REGULATION OR CLASS
OF REGULATIONS**

The SFM has determined that there are no other matters prescribed by statute applicable to the agency or to any specific regulation or class of regulation.

**MANDATE ON LOCAL AGENCIES OR
SCHOOL DISTRICTS**

The SFM has determined that the proposed regulatory action would impose a mandate on local agencies or school districts. The existing law provides for prescribed percentage of reimbursement to a public

school that is funded under the Leroy F. Greene School Facilities Act of 1998. This existing law stipulates that the State Allocation Board shall adjust the per-pupil grant amount set forth in Section 17072.10 of the Leroy F. Greene School Facilities Act of 1998, as necessary to accommodate fifty percent of the increased costs due to the automatic fire detection, alarm, and sprinkler system required pursuant to subdivision (a) of Section 17074.50.

The board shall adjust the per-pupil grant amount set forth in Section 17074.10 as necessary to accommodate eighty percent of the increased costs due to the automatic fire detection and alarm system required pursuant to subdivision (b) of Section 17074.50.

The Education Code section that stipulates the percentage of reimbursement is repeated below for clarity purposes to the Commission and interested public parties:

Education Code Section 17074.56. (a) The State Allocation Board shall adjust the per-pupil grant amount set forth in Section 17072.10 as necessary to accommodate fifty percent (50%) of the increased costs due to the automatic fire detection, alarm, and sprinkler system required pursuant to subdivision (a) of Section 17074.50. The board shall adjust the per-pupil grant amount set forth in Section 17074.10 as necessary to accommodate eighty percent (80%) of the increased costs due to the automatic fire detection and alarm system required pursuant to subdivision (b) of Section 17074.50. The board shall establish a method to provide up to one-hundred percent (100%) of the increased costs of the automatic fire detection, alarm, and sprinkler, if applicable, systems for school districts, which qualify for hardship assistance pursuant to paragraph of subdivision (b) of Section 17075.10.

(b) By July 1, 2003, the board shall review the adequacy of the per-pupil grant adjustments made pursuant to subdivision (a) and shall increase or decrease those adjustments as determined to be necessary.

(c) Any project submitted to the Division of the State Architect on or after September 1, 2001, that includes a qualifying fire detection, alarm, and sprinkler, if applicable, system, and that has not been fully funded prior to July 1, 2002, shall be eligible for grant or eligibility adjustments as set forth in this article.

ESTIMATE OF COST OR SAVINGS

- A. Cost or Savings to any state agency: **NO**
- B. Cost to any local agency required to be reimbursed under Part 7(commencing with Section 17500) of Division 4: **NO**

- C. Cost to any school district required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **NO**
- D. Other nondiscretionary cost or savings imposed on local agencies: **NO**
- E. Cost or savings in federal funding to the state: **NO**

**INITIAL DETERMINATION OF NO
SIGNIFICANT STATEWIDE ADVERSE
ECONOMIC IMPACT ON BUSINESSES**

The initial determination of the SFM is that the proposed regulatory action will not have a significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

DECLARATION OF EVIDENCE

The SFM affirms that this rulemaking action complies specifically with the mandates of Education Code Sections 17074.50, 17074.52, 17074.54 and 17074.56 which apply strictly to state funded public school construction.

Therefore, the SFM's initial determination of no significant, statewide adverse economic impact directly affecting business in California and their ability to compete with businesses in other states does not require any additional evidence, documents or other evidence to support this action.

**FINDING OF NECESSITY FOR THE PUBLIC'S
HEALTH, SAFETY, OR WELFARE**

The SFM has made an assessment of the proposed code changes and has determined that these changes do not require a report.

**COST IMPACT ON PRIVATE PERSON
OR BUSINESS**

The SFM is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

**ASSESSMENT OF EFFECT OF REGULATIONS
UPON JOBS AND BUSINESS EXPANSION,
ELIMINATION OR CREATION**

The SFM has assessed that adoption of these regulations will not:

- Create or eliminate jobs within California;
- Create new businesses or eliminate existing businesses within California; or
- Affect the expansion of businesses currently doing business within California.

**INITIAL DETERMINATION OF SIGNIFICANT
EFFECT ON HOUSING COSTS**

The SFM has made an initial determination that this proposal will not affect housing costs.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code § 11346.5 subdivision (a)(13), the SFM has determined that no reasonable alternative considered by it or that has been otherwise identified and brought to the attention of the SFM would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

**AVAILABILITY OF
RULEMAKING DOCUMENTS**

All of the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public review, by contacting the person named below. This notice, the express terms and initial statement of reasons can be accessed from the California Building Standards Commission website:

<http://www.bsc.ca.gov/>

Interested parties may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below or at the California Building Standards Commission website.

**AVAILABILITY OF FINAL
STATEMENT OF REASONS**

At the conclusion of this rulemaking, a Final Statement of Reasons will be prepared as required by Government Code § 11346.9. This document will be available from the contact persons named above.

**CBSC CONTACT PERSON FOR PROCEDURAL
AND ADMINISTRATIVE QUESTIONS**

General questions regarding procedural and administrative issues should be addressed to:

Michael L. Nearman or
Stanley Nishimura (Back-up person)
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833
Telephone No.: (916) 263-0916
Facsimile No.: (916) 263-0959

**SFM CONTACT PERSONS FOR SUBSTANTIVE
QUESTIONS ON THE PROPOSED
BUILDING STANDARDS**

Specific questions regarding the substantive aspects of the proposed building standards may be addressed to:

CONTACT PERSON

- Leslie R. Billington
(916) 327-4998
Fax: (916) 445-8459

BACK-UP CONTACT PERSON

- Rodney Slaughter
(916) 445-8454
Fax: (916) 445-8459

**POST-HEARING MODIFICATIONS TO THE
TEXT OF THE REGULATIONS**

Following the public comment period, the CBSC may adopt the proposed regulations substantially as proposed in this notice or with modifications that are sufficiently related to the original proposed text and notice of proposed regulatory action. If modifications are made, the full text of the proposed action with the changes clearly indicated would be made available to the public for at least 15 days prior to the date on which the CBSC adopts, amends, or repeals the regulation(s). The CBSC will accept written comments on the modified regulations during the 15-day period at the above-mentioned contacts.

**TITLE 28. DEPARTMENT OF
MANAGED CARE**

**NOTICE OF INTENT TO AMEND
REGULATION REGARDING
AMBULANCE PLANS**

NOTICE IS HEREBY GIVEN

The Director of the Department of Managed Health Care (Director), pursuant to the rulemaking authority granted by sections 1344 and 1346 of the Health and Safety Code, proposes to amend section 1300.43.3, contained in title 28 of the California Code of Regulations relating to the self-executing exemption for ambulance health care service plans from the requirements of the Knox-Keene Act Health Care Service Plan Act of 1975 (Knox-Keene Act).

PUBLIC HEARING

No public hearing is scheduled. Any interested person or his or her duly authorized representative may request, in writing, a public hearing pursuant to section 11346.8(a) of the Government Code. The request for hearing must be received in writing by the Department of Managed Health Care (Department) contact person designated below no later than 15 days prior to the close of the written comment period.

**WRITTEN COMMENT PERIOD/
CONTACT PERSON**

Notice is also given that any interested person may present statements or arguments relevant to the proposed action by a written communication addressed to, and received by, the Department's contact person identified below on or before 5 p.m. on August 19, 2002. If this day is a Saturday, Sunday or state holiday, the comment period will close at 5 p.m.

on the next business day. Written communications may also be sent to Elizabeth Spring via electronic mail at espring@dmhc.ca.gov or via facsimile at (916) 322-3968.

**INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW**

California Health and Safety code sections 1344 and 1346 vest the Director with the power to administer and enforce the provisions of the Knox-Keene Act.

California Health and Safety Code section 1344 mandates that the Director have the ability to adopt, amend, and rescind such rules, forms, and orders as are necessary to carry out the provisions of this chapter, including rules governing applications and reports, and defining any terms, whether or not used in this chapter, insofar as the definitions are not inconsistent with the provisions of the Act. Furthermore, the Director may waive any requirement of any rule or form in situations where in the Director's discretion such requirement is not necessary in the public interest or for the protection of the public, subscribers, enrollees, or persons or plans subject to this chapter.

The Department proposes to amend section 1300.43.3 to effectuate regulations pertaining to the self-executing exemption of ambulance plans from the Knox-Keene Act.

Section 1300.43.3 was originally adopted in 1977 to provide a self-executing exemption from the Knox-Keene Act for health care service plans ("plans") providing only ambulance services to subscribers and enrollees located in rural areas. According to this section, to rely upon the exemption from the Act the rural ambulance plan had to comply with certain provisions set forth in the regulation and submit a notice to the Department of the plan's intent to rely upon the exemption.

Existing section 1300.43.3 has not been amended since 1979. Subsequent to this time, the Knox-Keene Act has grown substantially, and the standards and requirements for health plans have continuously developed. In 1980, the Emergency Medical Services System and the Prehospital Emergency Medical Care Personnel Act was enacted, expanding and coordinating the administration of emergency health services throughout the state. However, the standards in section 1300.43.3 for rural ambulance plans have not been amended to incorporate the changing standards for other health plans, or to recognize the authority of local emergency medical services agencies to administer local emergency services programs. Therefore, the Director has determined that it is necessary to update the standards for ambulance plans.

The proposed amendments to section 1300.43.3 would be expanded to include not only rural ambulance plans, but all ambulance plans fulfilling the conditions set forth in this section, for exemption from the Knox-Keene Act. Section 1300.43.3 would also be amended to dispose of Department filing requirements by the ambulance plans relying on the exemption.

AUTHORITY

California Health & Safety Code sections 1344 and 1346.

REFERENCE

California Health & Safety Code section 1343.

AVAILABILITY OF INITIAL STATEMENT OF REASONS, TEXT OF PROPOSED REGULATIONS, AND RULEMAKING FILE

The Department has prepared and has available for public review the following documents:

1. An initial statement of reasons for the new and amended regulations;
2. Text of the legally effective regulations; and,
3. All information upon which this proposal is based (rulemaking file).

A copy of any or all of these items is available upon request by writing to the Department of Managed Health Care, ATTN: Ms. Elizabeth Spring, 980 9th Street, Suite 500, Sacramento, California 95814, which address will also be the location of public records, including reports, documentation, and other material related to this notice of proposed action. Additionally, a copy of the final statement of reasons (when prepared) will be available upon request by writing to the same address.

INTERNET AVAILABILITY

Materials regarding this notice of proposed action that are available via the Internet may be accessed at the following website: <http://www.dmhc.ca.gov/library/regulations/pending>.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

The text of any modified regulation, unless the modification is only non-substantial or solely grammatical in nature, will be made available to the public at least 15 days prior to the date the Department adopts the regulation. The changes will be clearly indicated. A request for a copy of any modified regulation should be addressed to the contact person designated below. The Director will accept written comments on the modified regulation for 15 days after the date on which they are made available. The Director may thereafter adopt, amend or repeal the foregoing proposal substantially as set forth above without further notice.

ALTERNATIVES CONSIDERED

In accordance with Government Code section 11346.5(a)(13), the Department must determine that no reasonable alternative considered by the Department or that has otherwise been identified and brought to the attention of the Department would be more effective in carrying out the purpose for which the action is proposed, or would be as effective and less burdensome to affected private persons than the proposed action.

The Department invites interested persons to present statements or arguments with respect to alternatives to the proposed regulation during the comment period.

FISCAL IMPACT

- Cost or savings to any state agency: None.
- Cost to any local agency or school district for which Cal. Gov't Code section 17500-17630 requires reimbursement: None.
- Other non-discretionary cost or savings imposed upon local agencies: None.
- Costs or savings in federal funding to the state: None.
- Effect on housing costs: None.

DETERMINATIONS

The Director has determined that the proposed regulatory action:

- Has no economic impact on small businesses. Health care service plans are not a small business under Cal. Gov't Code section 11342.610.
- Does not impose a mandate on local agencies or school districts, or a mandate which requires reimbursement pursuant to Cal. Gov't Code section 17500 *et seq.*
- In his *initial* determination and pursuant to Cal. Gov't Code 11346.5(a)(8), the regulation will not have a significant statewide adverse economic impact directly affecting business, including the ability of California to compete with businesses in other states.
- "The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action."
- Per CA. Gov't Code section 11346.5(a)(10), does not significantly affect:
 - o The creation of jobs in California;
 - o The elimination of jobs in California;

- o The creation of new businesses in California;
- o The elimination of existing business in California;
- o The expansion of existing businesses in California.

CONTACT PERSON

Comments or inquiries and substantive questions concerning this proposed regulation may be directed to CURTIS LEAVITT, Assistant Chief Counsel, or to the back up comment person, ELIZABETH SPRING, Department of Managed Health Care, Office of Legal Services, 980 Ninth Street, Suite 500, Sacramento, California 95814, (916) 322-6727.

<p>GENERAL PUBLIC INTEREST</p>

**DEPARTMENT OF FAIR
EMPLOYMENT AND HOUSING**

NOTICE IS HEREBY GIVEN that the prospective contractors listed below have been required to submit a Nondiscrimination Program (NDP) or a California Employer Identification Report (CEIR) to the Department of Fair Employment and Housing, in accordance with the provisions of Government Code Section 12990. No such program or (CEIR) has been submitted and the prospective contractors are ineligible to enter into the State contracts. The prospective contractors signature on Standard Form 17A, 17B, or 19, therefore, does not constitute a valid self-certification. Until further notice, each of these prospective contracts in order to submit a responsive bid must present evidence that its Nondiscrimination Program has been certified by the Department.

ASIX Communications, Inc.
DBA ASI Telesystems, Inc.
21150 Califa Street
Woodland Hills, CA 91367

Bay Recycling
800 77th Avenue
Oakland, CA 94621

C & C Disposal Service
P. O. Box 234
Rocklin, CA 95677

Choi Engineering Corp.
286 Greenhouse
Marketplace, Suite 329
San Leandro, CA 94579

Fries Landscaping
25421 Clough
Escalon, CA 95320

Marinda Moving, Inc.
8010 Betty Lou Drive
Sacramento, CA 95828

MI-LOR Corporation
P. O. Box 60
Leominster, MA 01453

Peoples Ridesharing
323 Fremont Street
San Francisco, CA 94105

San Diego Physicians &
Surgeons Hospital
446 26th Street
San Diego, CA

Southern CA Chemicals
8851 Dice Road
Santa Fe Springs, CA 90670

Tanemura and Antle Co.
1400 Schilling Place
Salinas, CA 93912

Turtle Building Maintenance Co.
8132 Darien Circle
Sacramento, CA 95828

Univ Research Foundation
8422 La Jolla Shore Dr.
La Jolla, CA 92037

Vandergoot Equipment Co.
P. O. Box 925
Middletown, CA 95461

**OFFICE OF THE STATE
FIRE MARSHALL**

NOTICE OF RESCHEDULED HEARING

Notice of public hearing to consider the adoption of amendments to T-19 California Code of Regulations. By Notice dated April 9, 2002 and published in the April 19, 2002 California Notice Register, Register 2002, No. 16Z, the State Fire Marshal announced that it would conduct a public hearing to consider adoptions to the fire extinguisher regulations. The hearing was originally scheduled for Friday, June 14, 2002 at the State Fire Marshal's Office in West Covina, California.

Please be advised that the hearing has been rescheduled to the following date, time, and location:

DATE: July 19, 2002
TIME: 10am to 12pm
PLACE: The Auditorium at the Van Nuys
State Building
6150 Van Nuys Boulevard
Van Nuys, California.

The public hearing facilities are accessible to persons with mobility impairments. If any special assistance is required (i.e. interpreter), please notify Rodney Slaughter at least 15 days prior to the public hearing. Mr. Slaughter can be reached at:

OFFICE OF THE STATE FIRE MARSHAL
Attention: Rodney Slaughter, Deputy State
Fire Marshal
P.O. Box 944246
Sacramento, California 94244-2460
E-Mail: rodney.slaughter@fire.ca.gov
(916) 445-8454 Office
(916) 445-8459 Fax

At the hearing, any person may present statements or arguments orally or in writing relevant to the proposed action described in the Informative Digest and available on the State Fire Marshal web-site <http://osfm.fire.ca.gov>. It is requested, but not required, that persons making oral comments at the hearing submit a written copy of their testimony at the hearing.

RULEMAKING PETITION DECISIONS

DEPARTMENT OF CORRECTIONS

California Code of Regulations
Title 15, Crime Prevention and Corrections
Division 3

NOTICE OF DECISION ON PETITION TO AMEND REGULATIONS

PETITIONER

Andrei Belei

AUTHORITY

Under authority established in Penal Code (PC) Section 5058 the Director may prescribe and amend regulations for the administration of prisons. PC Section 5054 vests with the Director the supervision, management and control of the prisons, and the responsibility for the care, custody, treatment, training, discipline, and employment of persons confined therein.

CONTACT PERSON

Please direct any inquiries regarding this action to Rick Grenz, Chief, Regulation and Policy Management Branch, Department of Corrections, PO Box 942883, Sacramento, CA 94283-0001, or telephone (916) 322-9702.

AVAILABILITY OF PETITION

The petition for amendment of the regulations is available upon request directed to the Department's contact person.

SUMMARY OF PETITION

Petitioner requests the Department of Corrections amend regulations to be incorporated into the California Code of Regulations (CCR), Title 15, Division 3, to limit the suspension of outdoor exercise to general population inmates on lockdown to no more than 30 days.

DEPARTMENT DECISION

The Director of Corrections denies the petitioners request.

The petitioner states that the CDC locks prisoners down for six to nine months each year and denies all outdoor exercise during these lockdowns. He contends that this practice violates the constitutional prohibition of cruel and unusual punishment and that it causes physical harm to prisoners and increases the likelihood of future physical harm. The petitioner would like to amend regulations to limit the suspension of outdoor exercise to general population inmates on lockdown to no more than 30 days.

The CCR, Title 15, Division 3, Section 3383, State of Emergency includes regulations that define a state of emergency and require the approval of the director or director's designee when (1) A lockdown of all housing units/sub-facilities within a facility's security perimeter is to exceed 24 hours, (2) A lockdown of fewer than all housing units/sub-facilities within a facility's security perimeter is to exceed 72 hours, and (3) The suspension of a facility's major program or operations including yard operations is to exceed 72 hours. All Wardens of the CDC follow the regulations described in Section 3383 of the Title 15. In addition the Department keeps weekly records on the status of these regulated activities to ensure that the regulations are being properly adhered to.

During lockdowns, which suspend all outdoor exercise, the cause and effect is constantly reviewed and evaluated by the institution head through appropriate staff. The facility's affected areas, programs, and operations are returned to normal as soon as it is determined that it is safe to do so. The Department contends that the suspension of any yard activities during a lockdown do not constitute cruel and unusual punishment as alleged by the petitioner, are in compliance with the law, and the regulations that allow for such suspensions have been processed through the Administrative Procedure Act.

This proposed amendment would limit the Director's/designee's discretionary decisionmaking authority regarding the length of any suspension of yard operations during periods of lockdown. Limiting

this authority would directly impair the Directors ability to prevent, contain, or control a disturbance. The safety and security of CDC institutions/facilities, staff, inmates, and the general public could be jeopardized.

In addition, case law and court rulings, including the Federal Court of Appeals and the United States Supreme Court decisions, recognize and support the right and duty of prison officials to take necessary steps to reestablish or maintain order in response to a situation.

Petitioner's suggested changes are denied.

SUMMARY OF REGULATORY ACTIONS

REGULATIONS FILED WITH SECRETARY OF STATE

This Summary of Regulatory Actions lists regulations filed with the Secretary of State on the dates indicated. Copies of the regulations may be obtained by contacting the agency or from the Secretary of State, Archives, 1020 O Street, Sacramento, CA, 95814, (916) 653-7715. Please have the agency name and the date filed (see below) when making a request.

AIR RESOURCES BOARD

ZEV Infrastructure and Standardization

This action mandates the provision of an on-board conductive charging system for ZEVs that qualify for credit of 1.0 or more, and changes the standard for determining whether the vehicles sold by an automobile manufacturer owned by another manufacturer should be aggregated for purposes of determining the size classification of the manufacturer and the associated ZEV sales requirement.

Title 13
California Code of Regulations
ADOPT: 1962.1 AMEND: 1900, 1962
Filed 06/24/02
Effective 07/24/02
Agency Contact:
Victoria E. Davis (916) 322-2884

CALIFORNIA HIGHWAY PATROL

Motor Carrier Safety—Seats

In this rulemaking, the California Highway Patrol amends a regulation in the area of safety-related "equipment requirements" for motor vehicles. Specifically, the amendment relates to the seat requirements for buses and farm labor vehicles and changes the provision pertaining to driver seat adjustability.

Title 13
California Code of Regulations
AMEND: 1270
Filed 06/24/02
Effective 07/24/02
Agency Contact:
Jack Schwendener (916) 445-1865

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Waiver of Permit Terms and Conditions During Temporary Emergencies

This emergency regulatory action adopts the process for a waiver of permit terms and conditions during temporary emergencies. (Previous OAL file ## 01-1030-02E and 02-0222-06EE)

Title 14
California Code of Regulations
ADOPT: 17211, 17211.1, 17211.2, 17211.3, 17211.4, 17211.5, 17211.6, 17211.7, 17211.8, 17211.9
Filed 06/20/02
Effective 07/03/02
Agency Contact:
Michael Bledsoe (916) 341-6058

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Permit Review and Reissuance

This nonsubstantive action amends and clarifies various forms concerning Waste Tire Haulers, Solid Waste Disposal Facilities, Trust Agreements, certificates of liability insurance, etc.

Title 14, 27
California Code of Regulations
AMEND: 18104.8, 18105.9, 18105.10, 21140
Filed 06/21/02
Effective 07/21/02
Agency Contact: Elliot Block (916) 255-2821

COMMISSION ON STATE MANDATES

Conflict of Interest Code

The Commission on State Mandates is amending the captioned section contained in Title 2, California Code of Regulations, Section 1189.10, pertaining to its conflict of interest code. These changes were approved for filing by the Fair Political Practices Commission on April 30, 2002.

Title 2
California Code of Regulations
AMEND: 1189.10
Filed 06/25/02
Effective 07/25/02
Agency Contact: Shirley Opie (916) 323-8211

DEPARTMENT OF CONSERVATION

SB 528 Predatory Pricing

This emergency regulatory action conforms the Department's regulation on unfair and predatory pricing by supermarket site recycling centers to statutory changes made by SB 528 (Chapter 874, Statutes 2001). (Previous OAL file #02-0213-01E)

Title 14

California Code of Regulations

AMEND: 2135

Filed 06/19/02

Effective 06/21/02

Agency Contact: Karen Denz (916) 322-1899

DEPARTMENT OF CONSERVATION

SB 528 Sit Historical Review Emergency Regulations

This is the readoption of an emergency action updating the procedure for Department review of an application for certification of a recycling center or processor, to accomodate a change in the relevant statutes that requires the department to consider whether a recycling center or processor operating in the same location has operated in compliance with applicable laws during the prior 5 years.

Title 14

California Code of Regulations

AMEND: 2030

Filed 06/19/02

Effective 07/02/02

Agency Contact: Karen Denz (916) 322-1899

DEPARTMENT OF FOOD AND AGRICULTURE

Olive Fruit Fly Interior Quarantine

This action would repeal the olive fruit fly quarantine and eradication area provisions.

Title 3

California Code of Regulations

REPEAL: 3431, 3591.17

Filed 06/20/02

Effective 07/20/02

Agency Contact: Stephen Brown (916) 654-1017

DEPARTMENT OF INSURANCE

Low Cost Automobile Insurance Program Plan of Operations

The filing makes nonsubstantive changes to captions and the zip code listings and also updates the income eligibility guidelines chart of the federal poverty levels that are contained in the "California Low Cost Automobile Insurance Program Plan of Operations" which is incorporated by reference into section 2498.6 of Title 10 of the California Code of Regulations.

Title 10

California Code of Regulations

AMEND: 2498.6

Filed 06/20/02

Effective 06/20/02

Agency Contact:

Mary Ann Shulman (415) 538-4133

DEPARTMENT OF INSURANCE

Consumer Services Automobile Assessment

This rulemaking assesses a fee for insurers to fund the automobile insurance consumer services function.

Title 10

California Code of Regulations

ADOPT: 2698.68

Filed 06/24/02

Effective 07/24/02

Agency Contact:

Wesley E. Kennedy (916) 854-5766

DEPARTMENT OF JUSTICE

Non-Participating Tobacco Mfg. Reserve Fund

The regulatory action is the Certificate of Compliance for the emergency regulatory action that dealt with the Non-Participating Tobacco Product Manufacturers Reserve Fund. (Prior OAL Files 02-0415-02E and 02-0308-03S.)

Title 11

California Code of Regulations

ADOPT: 999.10, 999.11, 999.12, 999.13, 999.14,

Appendix A

Filed 06/19/02

Effective 06/19/02

Agency Contact:

William F. Soo Hoo (916) 323-3853

DEPARTMENT OF REAL ESTATE

Miscellaneous regulations

This action updates a variety of the Department's regulations affecting the content various notifications and filings required by law, associated fees, and standards related to the conduct of licensees. Proposed amendments to sections 2851 and 2851.1 were withdrawn from review.

Title 10

California Code of Regulations

ADOPT: 2729.5, 2790.6, 2846.1 AMEND: 2790.1, 2791.8, 2792, 2800, 2810, 2811, 2910, 2911, 2912, 2930

Filed 06/20/02

Effective 07/20/02

Agency Contact: David B. Seals (916) 227-0789

DEPARTMENT OF SOCIAL SERVICES

Child Welfare Services Provisions of AB 1695

This emergency rulemaking implements recent legislation which exempts from the California Community Care Facilities Act, approved homes of relatives and nonrelative extended family members when children are placed by the juvenile court.

Title MPP

California Code of Regulations

AMEND: 31-001, 31-002, 31-075, 31-401, 31-405, 31-410, 31-420, 31-440, 31-445

Filed 06/25/02

Effective 07/01/02

Agency Contact:

Anthony J. Velasquez (916) 657-2586

DEPARTMENT OF SOCIAL SERVICES

Foster Family Homes Emergency Regulations

This emergency regulatory action conforms current regulations dealing with the licensing of foster care homes to changes in federal and state law.

Title 22, MPP

California Code of Regulations

ADOPT: 89202, 89261, 89319, 89323, 89370, 89372, 89374, 89376, 89388, 89400, 89405
AMEND: 87000, 87001, 87005, 87006, 87007, 87009, 97010, 97010.1, 97010.2, 87017, 87018, 87019, 87019.1, 87019.2, 87020, 87021, 87024, 87026, 87027, 87028, 87029, 87031, 8

Filed 06/26/02

Effective 07/01/02

Agency Contact:

Anthony J. Velasquez (916) 657-2586

FISH AND GAME COMMISSION

Klamath-Trinity River Sport Fishing

The proposed regulatory action amends the Klamath-Trinity River sport fishing regulations.

Title 14

California Code of Regulations

AMEND: 7.50

Filed 06/25/02

Effective 06/25/02

Agency Contact: John M. Duffy (916) 653-4899

OCCUPATIONAL SAFETY AND HEALTH

STANDARDS BOARD

Seatbelts for Farm Labor Vehicles

This action defines a "farm labor vehicle" and specifically requires the installation and use of seatbelts in such vehicles by the driver and passengers, consistent with the California Vehicle Code definition and AB555.

Title 8

California Code of Regulations

AMEND: 3700, 3702

Filed 06/20/02

Effective 07/20/02

Agency Contact: Marley Hart (916) 274-5721

OFFICE OF SPILL PREVENTION AND RESPONSE

Financial Responsibility

The Department of Fish and Game, Office of Spill Prevention and Response, is amending the captioned sections in order to conform to those numbering changes that took place in Stats. 2001, Ch.748.

Title 14

California Code of Regulations

AMEND: 791, 791.5, 791.7, 792, 793, 794, 795, 796, and 797.

Filed 06/24/02

Effective 07/24/02

Agency Contact:

Joy D. Lavin-Jones (916) 327-0910

PUBLIC EMPLOYEES' RETIREMENT SYSTEM

Member Home Loan Program

This amendment to the Member Home Loan Program adds a new definition of "officers" and specifies that "officers," as defined, are ineligible for loans under the program.

Title 2

California Code of Regulations

AMEND: 561.2, 561.3

Filed 06/20/02

Effective 07/20/02

Agency Contact: Joe Parilo (916) 326-3484

STATE PERSONNEL BOARD

Transfer of Employee from General Civil Service to a Career Executive Assignment

This section was invalidated by "*Professional Engineers in California Government v. State Personnel Board*" (2001) 90 Cal.App.4th 678, 109 Cal.Rptr.2d 375 and is repealed per title 1, section 100(a)(3) of the California Code of Regulations.

Title 2

California Code of Regulations

REPEAL: 548.96

Filed 06/20/02

Effective 06/20/02

Agency Contact: Steve Unger (916) 654-0842

**CCR CHANGES FILED WITH THE
SECRETARY OF STATE
WITHIN FEBRUARY 20, 2002
TO JUNE 26, 2002**

All regulatory actions filed by OAL during this period are listed below by California Code of Regulation's titles, then by date filed with the Secretary of State, with the Manual of Policies and Procedures changes adopted by the Department of Social Services listed last. For further information on a particular file, contact the person listed in the

Summary of Regulatory Actions section of the Notice Register published on the first Friday more than nine days after the date filed.

Title 1

02/22/02 AMEND: 121, Appendix A

Title 2

06/25/02 AMEND: 1189.10
 06/20/02 AMEND: 561.2, 561.3
 06/20/02 REPEAL: 548.96
 06/17/02 AMEND: 18239, 18615, 18616
 06/06/02 ADOPT: 18572
 05/28/02 ADOPT: 1896.300, 1896.310, 1896.320, 1896.330, 1896.340, 1896.350, 1896.360, 1896.370
 05/22/02 AMEND: 571(a)(5)
 05/13/02 AMEND: 18428
 05/10/02 AMEND: 18351
 05/09/02 AMEND: 20202, 20206, 20210, 20224, 20234, 20298, 20350, 20363, 20910
 REPEAL: 20106, 20205, 20213
 05/02/02 ADOPT: 1859.104.1, 1859.104.2, 1859.104.3 AMEND: 1859.2, 1859.21, 1859.50, 1859.51, 1859.61, 1859.70, 1859.73.1, 1859.73.2, 1859.74.1, 1859.75.1, 1859.76, 1859.78.2, 1859.79.3, 1859.81, 1859.81.1, 1859.82, 1859.91, 1859.95, 1859.100, 1859.101, 1859.102,
 04/26/02 ADOPT: 18520 AMEND: 18521, 18523, 18523.1
 04/19/02 ADOPT: 18537.1
 04/10/02 ADOPT: 1859.74.4 AMEND: 1859.2, 1859.20, 1859.21, 1859.30, 1859.33, 1859.40, 1859.41, 1859.42, 1859.43, 1859.50, 1859.51, 1859.60, 1859.70, 1859.73.1, 1859.73.2, 1859.74.1, 1859.74.4, 1859.75.1, 1859.76, 1859.78.2, 1859.79.3, 1859.81, 1859.81.1, 1859.
 04/04/02 ADOPT: 60, 60.1, 60.2, 60.3, 60.4, 60.5, 60.6, 60.7, 60.8, 60.9, 60.10
 03/27/02 ADOPT: 59100
 03/19/02 ADOPT: 599.930
 03/18/02 AMEND: 599.502, 599.508
 03/15/02 ADOPT: 1859.200, 1859.201, 1859.202, 1859.203, 1859.204, 1859.205, 1859.206, 1859.207, 1859.208, 1859.209, 1859.210, 1859.211, 1859.212, 1859.213, 1859.214, 1859.215, 1859.216, 1859.217, 1859.218, 1859.219, 1859.220
 03/13/02 AMEND: 56800
 03/07/02 ADOPT: 2351

Title 3

06/20/02 REPEAL: 3431, 3591.17
 06/13/02 ADOPT: 1366
 06/13/02 AMEND: 2303(t)
 06/11/02 AMEND: 3425(b)
 06/10/02 AMEND: 6391, 6393, 6394, 6395
 06/10/02 AMEND: 3406(b)
 06/04/02 AMEND: 3591.16(a)
 05/29/02 AMEND: 1380.19, 1436.38, 1446.7, 1454.14, 1462.15
 05/16/02 AMEND: 1428.12, 1428.16
 05/02/02 AMEND: 3700(a), (b), & (c)
 04/23/02 AMEND: 3591.12(a)
 04/23/02 ADOPT: 899.2 AMEND: 899.1
 04/18/02 AMEND: 6510, 6793
 04/12/02 AMEND: 3423(b)
 04/11/02 ADOPT: 3664, 3665, 3666, 3667, 3668, 3669
 04/08/02 AMEND: 6450.2, 6450.3, 6784
 04/04/02 AMEND: 3033.2, 3033.3, 3033.4
 04/02/02 ADOPT: 480.9 AMEND: 480.7
 03/12/02 AMEND: 3423(b)
 03/12/02 AMEND: 3423(b)
 03/08/02 ADOPT: 306, 6188, 6780 AMEND: 6000
 02/22/02 AMEND: Div. 1, Chapter 1.1, Section 2 and Appendix
 02/20/02 AMEND: 3591.16(a)

Title 4

05/13/02 ADOPT: 8110, 8111, 8112, 8113, 8114, 8115, 8116, 8117, 8118, 8119, 8120, 8121, 8122, 8123, 8124, 8125
 05/07/02 ADOPT: 3005, 3006, 3007, 3008, 3009, 3010 AMEND: 1928
 04/16/02 AMEND: 1405, 1527
 03/21/02 ADOPT: 8090, 8091, 8092, 8093, 8094, 8095, 8096, 8097, 8098, 8099, 8100, 8101
 03/19/02 ADOPT: 12100, 12102, 12104, 12106, 12108, 12120, 12130

Title 5

06/11/02 AMEND: 11530, 11531
 06/05/02 AMEND: 59311, 59328, 59342
 05/21/02 AMEND: 80026.4, 80026.6, 80122
 05/20/02 ADOPT: 55205, 55207, 55209, 55211, 55213, 55215, 55217, 55219 AMEND: 55316.5, 58003.1, 58003.3, 58007, 58009, 58051, 58056 REPEAL: 55317, 55352, 55370, 55372, 55374, 55376, 55378, 55380
 05/08/02 ADOPT: 80434 AMEND: 80001
 05/03/02 ADOPT: 54045.5, 58003.6
 03/25/02 ADOPT: 11980, 11981, 11982, 11983, 11984, 11985, 11986

03/20/02 AMEND: 59300, 59302, 59303, 59304, 59305, 59306, 59310, 59311, 59320, 59322, 59324, 59326, 59327, 59328, 59329, 59330, 59333, 59334, 59336, 59338, 59339, 59340, 59342, 59350, 59351, 59352, 59354, 59358, 59360, 59362

03/20/02 AMEND: 50500

03/15/02 ADOPT: 11963, 11963.1, 11963.2, 11963.3, 11963.4

03/12/02 ADOPT: 18400, 18405, 18406, 18407, 18408, 18409, 18409.5, 18410, 18411, 18412, 18413, 18414, 18415, 18416, 18417, 18418, 18419, 18420, 18421, 18422, 18423, 18424, 18425, 18426, 18427, 18428, 18429, 18430, 18431, 18432, 18433, AMEND: 18409.5, 18409(e),

03/01/02 ADOPT: 11967.5, 11967.5.1

02/20/02 AMEND: 41906.5

Title 7

04/04/02 ADOPT: 237

Title 8

06/20/02 AMEND: 3700, 3702

06/18/02 AMEND: 5189

06/12/02 AMEND: 9791.1, 9792.5, 9793, 9795

06/03/02 AMEND: 4885

06/03/02 AMEND: 5034(f)

05/28/02 AMEND: 3650, 3664

05/20/02 AMEND: 32125, 32130, 32140, 32603, 32604, 32720, 32735, 32738, 32739, 32744, 32752, 32763, 32980

05/07/02 ADOPT: 11080, 11090, 11100, 11110, 11120, 11130, 11150 REPEAL: 11080, 11090, 11100, 11130, 11130, 11150

05/06/02 AMEND: 3089

05/02/02 AMEND: 100, 106, 107

05/01/02 ADOPT: 11140 AMEND: 11140

05/01/02 ADOPT: 1716.2 AMEND: 1632, 1635, 1671, 1709, 1710

04/22/02 AMEND: 2320.2 of the Low voltage Electrical safety orders

04/03/02 AMEND: 1626

03/28/02 ADOPT: 341.15

03/05/02 AMEND: 3251

02/22/02 ADOPT: 11010, 11020, 11030, 11040, 11050, 11060, 11070, 11080 REPEAL: 11010, 11020, 11020, 11040, 11050, 11060, 11070, 11080

Title 8, 24

05/08/02 AMEND: 3011(d), 3120.1and 3122.0

Title 10

06/24/02 ADOPT: 2698.68

06/20/02 ADOPT: 2729.5, 2790.6, 2846.1 AMEND: 2790.1, 2791.8, 2792, 2800, 2810, 2811, 2910, 2911, 2912, 2930

06/20/02 AMEND: 2498.6

06/17/02 ADOPT: 2193, 2193.1, 2193.2, 2193.3

06/07/02 AMEND: 5.2001 and Appendix

06/06/02 AMEND: 2698.70, 2698.71 REPEAL: 01-1219-06 E

06/03/02 ADOPT: 2192.1, 2192.2, 2192.3, 2192.4, 2192.5, 2192.6, 2192.7, 2192.8, 2192.9, 2192.10, 2192.11, 2192.12, 2192.13

06/03/02 ADOPT: 2187.3 AMEND: 2186.1, 2187.1, 2187.2

05/01/02 ADOPT: 2278, 2278.1, 2278.2, 2278.3, 2278.4, 2278.5

04/29/02 ADOPT: 2699.6606, 2699.6711, 2699.6631, 2699.6631, 2699.6717 AMEND: 2699.6500, 2699.6600, 2699.6605, 2699.6607, 2699.6611, 2699.6613, 2699.6617, 2699.6623, 2699.6625, 2699.6629, 2699.6700, 2699.6703, 2699.6705, 2699.6709, 2699.6800, 2699.6801, 2699.6809

04/29/02 ADOPT: 1729, 1741.5, 1950.302 AMEND: 1741.5

04/16/02 AMEND: 2698.73

03/27/02 ADOPT: 260.204.9

03/26/02 AMEND: 250.30

03/22/02 AMEND: 2698.200, 2698.201, 2698.301, 2698.302

03/21/02 ADOPT: 2130, 2130.1, 2130.2, 2130.3, 2130.4, 2130.5, 2130.6, 2130.7.8

03/18/02 ADOPT: 1422 & 1423

02/27/02 AMEND: 2498.6

02/26/02 ADOPT: 2581.1, 2581.2, 2581.3, 2581.4

Title 11

06/19/02 ADOPT: 999.10, 999.11, 999.12, 999.13, 999.14, Appendix A

05/24/02 AMEND: 1005

05/21/02 AMEND: 1005

05/06/02 ADOPT: 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 48

04/26/02 AMEND: 1005, 1008

04/25/02 ADOPT: 1081(a)(32)

04/23/02 AMEND: 3000. 3001, 3003, 3007, 3008

04/22/02 AMEND: 900, 901, 902, 903, 904, 905, 906, 907, 908, 911

04/15/02 ADOPT: 999.10, 999.11, 999.12, 999.13, 999.14 and Appendix A

03/14/02 ADOPT: 1081(a) [31]
 03/11/02 AMEND: 1005, 1007
 03/07/02 AMEND: 1018
 03/06/02 ADOPT: Article 20, Section 51.19
 02/25/02 ADOPT: 410, 411, 415, 416, 417, 418,
 419, 420, 421, 422, 423, 424, 425, 426

Title 13

06/24/02 AMEND: 1270
 06/24/02 ADOPT: 1962.1 AMEND: 1900, 1962
 06/18/02 AMEND: 1
 06/03/02 AMEND: 565
 05/24/02 AMEND: 1900, 1960.1 (k), 1961, 1962 &
 the Incorporated Test Procedure
 04/29/02 AMEND: 350.44
 04/04/02 ADOPT: 565
 03/25/02 AMEND: 345.04, 345.41
 03/20/02 ADOPT: 1235.1, 1235.2, 1235.3, 1235.4,
 1235.5, 1235.6 AMEND: 1200
 03/08/02 ADOPT: 593.3

Title 14

06/25/02 AMEND: 7.50
 06/24/02 AMEND: 791, 791.5, 791.7, 792, 793,
 794, 795, 796, and 797.
 06/20/02 ADOPT: 17211, 17211.1, 17211.2,
 17211.3, 17211.4, 17211.5, 17211.6,
 17211.7, 17211.8, 17211.9
 06/19/02 AMEND: 2030
 06/19/02 AMEND: 2135
 06/18/02 AMEND: 11900
 06/13/02 ADOPT: 17402.5(c)(6), 17402.5(d)(3)
 AMEND: 17400, 17402, 17402.5
 06/06/02 ADOPT: 749.1
 06/05/02 AMEND: 1.1, 6159, 6170, 6170.5, 6171,
 6179, 6184, 6185, 6200, 6206, 6222,
 6243, 6254, 6255, 6262
 05/30/02 AMEND: 1104.1
 05/23/02 ADOPT: 52.10
 05/22/02 AMEND: 1037.4, 1092.19
 05/21/02 ADOPT: 17367, 17368, 17369, 17370.1,
 17370.2, 18225
 05/20/02 AMEND: 149
 04/29/02 AMEND: 27.80
 04/11/02 ADOPT: 104.1
 04/10/02 AMEND: 17943(b)(26)
 04/10/02 AMEND: 27.67
 04/04/02 AMEND: 670.2
 03/26/02 AMEND: 28.59
 03/25/02 ADOPT: 180.15
 03/25/02 AMEND: 2090, 2105, 2420, 2425, 2530,
 2690
 03/14/02 AMEND: 180.3
 03/14/02 AMEND: 150
 03/13/02 ADOPT: 18627
 03/04/02 AMEND: 2030

03/04/02 ADOPT: 17211, 17211.1, 17211.2,
 17211.3, 17211.4, 17211.5, 17211.6,
 17211.7, 17211.8, 17211.9

02/28/02 ADOPT: 4971
 02/22/02 AMEND: 2135

Title 14, 27

06/21/02 AMEND: 18104.8, 18105.9, 18105.10,
 21140

Title 15

05/08/02 ADOPT: 4746.5
 05/06/02 AMEND: 3104
 04/17/02 AMEND: 3276
 03/20/02 AMEND: 3401.5
 03/11/02 ADOPT: 3501
 03/07/02 AMEND: 3375.2
 02/28/02 AMEND: 2005

Title 16

06/12/02 ADOPT: 4, 9, 12, 12.5, 13, 14 AMEND:
 6, 7, 9, 9.1, 10, 11.5, 37, 50
 06/03/02 AMEND: 2034, 2036
 05/29/02 ADOPT: 980.1 AMEND: 974
 05/28/02 AMEND: 3340.42
 05/24/02 ADOPT: 832.06 AMEND: 832.05
 05/21/02 ADOPT: 1356.5
 05/21/02 AMEND: 2006
 05/21/02 ADOPT: 2412 AMEND: 2411, 2418
 05/16/02 AMEND: 832.54
 05/08/02 AMEND: 832.09
 05/02/02 AMEND: 3303, 3353, 3361.1
 04/09/02 AMEND: 2010.1, 2024, 2025
 04/02/02 AMEND: 2068.5
 03/29/02 AMEND: 2620.5, 2649, 2671
 03/29/02 REPEAL: 1044.4
 03/26/02 AMEND: 1950, 1950.2, 1970.4 RE-
 PEAL: 1990.1, 1991.1
 03/25/02 AMEND: Section 1888
 03/20/02 AMEND: 1083
 02/28/02 ADOPT: 4100, 4101, 4102, 4110, 4111,
 4112, 4113, 4114, 4120, 4121, 4122, 4130
 02/26/02 AMEND: 3394.4, 3394.6
 02/20/02 AMEND: 1388, 1388.6, 1389, 1392,
 1397.63 REPEAL: 1388.5

Title 17

06/10/02 AMEND: 90700, 90701, 90702, 90703,
 90704, 90705 & to the tables in Section
 90705
 05/16/02 AMEND: 6508
 05/02/02 ADOPT: 2641.5, 2641.10, 2641.15,
 2641.20, 2641.25, 2641.30, 2641.35,
 2641.45, 2641.50, 2641.55, 2641.60,
 2641.65, 2641.70, 2641.75, 2641.77,
 2641.80, 2641.85, 2641.90, 2643.5,
 2643.10, 2643.15, 2643.20.
 04/22/02 AMEND: 70500, 70600
 04/11/02 AMEND: 58420

04/10/02 ADOPT: 54327.2 AMEND: 54302, 54327, 54327.1, 56002, 56026, 56093, 58651
 03/27/02 AMEND: 57310, 57332, 57530
 03/12/02 ADOPT: 33001, 33002, 33003, 33004, 33005, 33006, 33007, 33008, 33009, 33010, 33011, 33012, 33013, 33014, 33015, 33025 AMEND: 33020, 33030, 33040 REPEAL: 3001, 33010
 03/01/02 ADOPT: 2638 AMEND: 2500, 2502, 2505, 2551, 2552, 2553, 2596, 2614, 2626
 02/28/02 AMEND: 56002, 56031, 56033, 56034, 56134.1, 56035, 56036, 56037, 56038, 56048, 56054, 56057, 56059, 56060

Title 18

06/11/02 AMEND: 21 REPEAL: 23, 24, 25, 26
 06/11/02 ADOPT: 1123, 1124, 1161, 1178, 1435, 1436 AMEND: 1101, 1105, 1120, 1132, 1134, 1420, 1422, 1430 REPEAL: 1103, 1104, 1106, 1107, 1108, 1114, 1115, 1116, 1117, 1118, 1119, 1121, 1131, 1133, 1151, 1152, 1153, 1154, 1155, 1171, 1172, 1173, 1174, 1175, 1176
 06/11/02 ADOPT: 255, 263, 264, 265 AMEND: 252, 254, 261, 304 REPEAL: 253, 256, 262
 06/07/02 AMEND: 1533.1
 06/07/02 ADOPT: 1533
 06/07/02 ADOPT: 1525.7
 06/06/02 ADOPT: 1507
 06/05/02 AMEND: 1111, 1122, 1137, 1177, 1413, 1470; section 1470 withdrawn from the instant filing.
 06/04/02 AMEND: 135
 05/29/02 AMEND: 23101.5
 05/20/02 ADOPT: 138
 05/16/02 ADOPT: 139
 05/15/02 AMEND: 1699
 05/14/02 AMEND: 905
 05/14/02 AMEND: 1603
 05/13/02 ADOPT: 1434
 05/13/02 ADOPT: 4011 AMEND: 4061
 04/17/02 ADOPT: 305.3
 04/16/02 AMEND: 1668
 04/16/02 AMEND: 1532
 04/16/02 AMEND: 1525.2
 04/03/02 AMEND: 25110
 04/03/02 ADOPT: 138
 04/02/02 AMEND: 25114
 04/02/02 AMEND: 25111-1
 03/19/02 AMEND: 25112
 03/13/02 AMEND: 24411
 03/12/02 REPEAL: 25111.1
 03/12/02 AMEND: 24344(c)
 03/12/02 REPEAL: 25111

03/11/02 AMEND: 25106.5-0, 25106.5
 03/08/02 AMEND: 6001
 02/28/02 REPEAL: 25115

Title 19

05/22/02 ADOPT: 2000
 05/16/02 REPEAL: 596.15 & 596.16 & Article 12 thru Article 23 {all duplicated in the} code
 04/02/02 ADOPT: 2575, 2575.1, 2575.2, 2576, 2576.1, 2577, 2577.1, 2577.2, 2577.3, 2577.4, 2577.5, 2577.6, 2577.7, 2577.8, 2578, 2578.1, 2578.2

Title 20

06/03/02 ADOPT: 1342, 1343, 1344 AMEND: 1302, 1303, 1306, 1307, 1308, 1340, 1341, 2503, 2505, 2507 REPEAL: 1342, 1343, 1344, 1349
 03/08/02 ADOPT: 1207, 1212, 1710, 1712, 1714.5, 1718, 1741, 1748, 1751, 1752, 1755, 1940, 1945, 2021

Title 22

06/10/02 ADOPT: 100178.1 AMEND: 100177, 100178
 04/30/02 AMEND: 51515(c), 51515(e), 51518(b), 51521(1), 51527(b)
 04/18/02 AMEND: 4304-12
 04/16/02 AMEND: 4408, 4409, 4414
 04/16/02 AMEND: 12000
 04/11/02 AMEND: 66261.6
 04/04/02 AMEND: 66262.54, 66264.71, 66264.71, 66265.71, 66265.72, 66270.30, Appendix
 04/04/02 ADOPT: 66270.42.5, 66271.20 AMEND: 66270.42, 66271.18, 66270.21
 04/04/02 AMEND: 66270.69, 67800.1, 67800.5
 03/26/02 ADOPT: 66273.6, 66273.80, 66273.81, 66273.82, 66273.83, 66273.84, 66273.85, 66273.86, 66273.87, 66273.88, 66273.89, 66273.90 AMEND: 66261.9, 66273.1, 662173.8, 66273.9
 03/21/02 AMEND: 926-3, 926-4, 926-5
 03/19/02 ADOPT: 110250, 110374, 117016, 117019, 117021, 117025, 117030, 117036, 117042, 117047, 117049, 117052, 117054, 117064, 117074, 117080, 117083, 117085, 117089, 117091, 117094, 117200, 117300, 117301, 117302, 117303, 117400, 117401, 117402, 117403, 117404,
 03/07/02 ADOPT: 67900.1, 67900.2, 67900.3, 67900.4, 67900.5, 67900.6, 67900.7, 67900.8, 67900.9, 67900.10, 67900.11, 67900.12
 03/06/02 ADOPT: 64860
 03/05/02 ADOPT: 111900, 111910, 111920, 121100, 121120, 121140

03/01/02 ADOPT: 68200, 68201, 68202, 68203,
68204, 68205, 68206, 68207, 68208,
68209, 68210, 68211, 68212, 68213

03/01/02 AMEND: 14000

02/28/02 AMEND: 12000

02/21/02 ADOPT: 110041, 110098, 110284,
110299, 110428, 110430, 110473,
110539, 112002, 112015, 112025,
112034, 112035, 112100, 112110,
112130, 112140, 112150, 112152,
112154, 112155, 112200, 112210,
112300, 112301, 112302 AMEND:
110042, 110431, 110609

02/20/02 AMEND: 100209 (c)

Title 22, MPP

06/26/02 ADOPT: 89202, 89261, 89319, 89323,
89370, 89372, 89374, 89376, 89388,
89400, 89405 AMEND: 87000, 87001,
87005, 87006, 87007, 87009, 97010,
97010.1, 87010.2, 87017, 87018, 87019,
87019.1, 87019.2, 87020, 87021, 87024,
87026, 87027, 87028, 87029, 87031, 8

05/29/02 ADOPT: Title 22 section 119184 RE-
PEAL: MPP section 12-225.3

05/02/02 ADOPT: 110411, 110625, 111110,
111120, 111210, 111220, 111230 RE-
PEAL: MPP 12-000, 12-003, and Appen-
dix I

04/08/02 ADOPT: 85081, 87593 AMEND: 85001,
87101

03/25/02 ADOPT: 110385, 110449, 110554,
118020, 118203 REPEAL: 12-301.1, 12-
301.2, 12-301.3, 12-302.1, 12-302.2, 12-
302.3, 12-302.4, 12-302.5

02/21/02 AMEND: 87102, 87564.3, 87730

Title 23

06/07/02 ADOPT: 510, 511, 512, 513, 514, 515,
516, 517

05/23/02 ADOPT: 3962

05/03/02 AMEND: 3961

04/17/02 AMEND: Article 6, section 645

04/03/02 AMEND: 2712(e)

04/03/02 AMEND: 3954

Title 25

04/26/02 AMEND: 7060, 7062.1, 7078.2, 7078.4,
7078.5

04/04/02

Title 27

05/09/02 AMEND: 22200, 22228, 22233, 22248,
Form CIWMB 106 (08/2001)

03/05/02 AMEND: 15110, 15240

Title 28

04/24/02 ADOPT: 1300.41.8

Title MPP

06/25/02 AMEND: 31-001, 31-002, 31-075, 31-
401, 31-405, 31-410, 31-420, 31-440,
31-445

05/09/02 ADOPT: 44-302 AMEND: 25-301, 25-
302, 25-303, 25-304, 25-305, 25-306,
25-310.3, 25-330.9, 25-506, 44-304, 44-
305, 44-325, 44-327, 80-310

04/26/02 ADOPT: 16-001, 16-003, 16-005, 16-
010, 16-015, 16-105, 16-120, 16-130,
16-201, 16-215, 16-301, 16-310, 16-315,
16-320, 16-325, 16-401, 16-410, 16-501,
16-505, 16-510, 16-515, 16-517, 16-520,
16-601, 16-610, 16-701, 16-750, 16-801
AMEND: 20-300, 44-302,

03/06/02 AMEND: 63-403

02/28/02 AMEND: 63-102, 63-103, 63-300, 63-
301, 63-503

02/28/02 ADOPT: 40-107.141, 40-107.142, 40-
107.143, 40-107.15, 40-107.151, 40-
107.152, 42-302.114, 42-302.114(a)-(c),
42-302.21(h)(1), 42-302.3, 44-133.8, 82-
833 AMEND: 40-107.14, 40-107.16, 40-
107.17, 40-107.18, 40-107.19, 42-301.2,
44-133.51, 82-832

02/21/02 AMEND: 63-102, 63-300, 63-301, 63-
402, 63-405, 63-501, 63-502, 63-503,
63-504, 63-507

